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HANSARD'S

PARLIAMENTARY

DEBATES:

FORMING A CONTINUATION OF

"THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

VOL. XVI.

COMPRISING THE PERIOD FROM
THE FIRST DAY OF MARCH,
TO
THE FIRST DAY OF APRIL, 1833.

Second Volume of the Session.

LONDON:

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1833.

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THIRD SERIES.

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HANSARD'S

Parliamentary Debates

During the FIRST SESSION *of the* ELEVENTH PARLIAMENT *of the United Kingdom of* GREAT BRITAIN *and* IRELAND, *appointed to meet at Westminster,*
29th January, 1833,
in the Third Year of the Reign of His Majesty
WILLIAM THE FOURTH.

Second Volume of the Session.

HOUSE OF LORDS,
Friday, March 1, 1833.

MINUTES.] Petitions presented. By Lord DACRE, from Newport (Monmouth) and Scone, against Slavery. By Lord KING, from Kildaldy, against Coercive Measures for Ireland; and from the same Place, against Tithes.—By Lord KENYON, from Shipley and Windhill; and by the Earl of RODEN, from Stanningley,—for Limiting the Hours of Labour for Children in Factories.—By the Earl of CADOGAN, from St. Luke's, Chelsea; by the Marquess of CHOLMONDELEY, from a Dissenting Congregation, Westminster; by the Bishop of LICHFIELD and COVENTRY, from Stafford, and nine other Places; by Lord SUFFIELD, from Wells-on-the-Sea; by Lord DE DUNSTANVILLE, from Devonport, Stoke, and Plymouth; and by Lord BEXLEY, from Oxford,—for the Better Observance of the Sabbath.

* * *

HOUSE OF COMMONS,
Friday, March 1, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. GROTE the Quantities of Coal and Culm Imported into London since 1825; specifying the Amount of Duty paid, and distinguishing all Municipal or Private Dues from Public Taxes.—On the Motion of Colonel DAVIES, Amount of Superannuation Allowances for 1832.—On the Motion of Mr. GILLON, Account of the Crown Lands in Scotland.—On the Motion of Mr. FRENCH, Amount of the Balance in the hands of the County Treasurers (Ireland) for the last three years.—On the Motion of Mr. WILKS, Number of Cases heard and determined in the Court of Requests in London and Westminster, for 1831: also an Abstract of the Laws now in force in Jamaica relative to Churches, Chapels, and Missionaries.

Petitions presented. By Mr. DYKES, from Harrington,—for the Better Observance of the Sabbath, and for Vote by Ballot; and from Broughton, Harrington, and other Places,—for the Abolition of Slavery.—By Sir WILLIAM MOLESWORTH, from Launceston; by Lord EBRINGTON, from Hatherleigh, to the same effect; and by the same NOBLE LORD, from Collumpton, to facilitate the Recovery of Small Debts.—By Mr. WILKS, from the Hibernian Temperance Society, to prevent the Sale of Spirits on Sunday; and from Tresmere,—for the Abolition of Slavery.—By Mr. WILLIAM ROCHE, from Limerick, for the Reform of the Corporation of that City.—By Lord ROBERT GROSVENOR, from Chester,—for the Better Observance of the Sabbath.

TAXES ON KNOWLEDGE.] Mr. Dykes presented a Petition from the Mechanics and other Inhabitants of the Borough of Cockermouth, praying for the Repeal of the Taxes upon Newspapers, and all other circulating Publications.

Mr. *Aglionby* expressed a hope and a confidence, that the present Ministers, to whom the country already owed so much, would pay an early attention to the subject brought before the notice of the House by the petition; and take away all the taxes which pressed so heavily upon the circulation of knowledge. He was anxious that it should be effected, and that as speedily as possible, because he was convinced that the increase of knowledge prevented the increase of crime. He was the more confirmed in this opinion by the charge, reported in a Carlisle paper, said to have been delivered by a learned Judge on the Northern Circuit, to the Grand Jury. He would, if the House would tolerate him for a moment, read an extract from that charge, which he held in his hand. The learned Judge, after adverting to the very light calendar of crime which the town presented, added, "I should be extremely glad to ascertain to what cause this is owing. Your population is not far short of your southern neighbours; how is it, then, that crime is not so prevalent? I know that your police are active and indefatigable, and I know that your Magistrates are equally so, in the discharge of their duties. But I am more inclined to think, for my own part, that it is owing to the greater spread of knowledge among the poorer classes of the population."

Mr. *Cobbett:* I am decidedly for the repeal of this tax, because I am for a repeal of all taxes. But as to its being a tax upon knowledge, and as to knowledge effecting all that the hon. Member who has just spoken has stated, I beg leave to doubt that very much. With regard to the utility of what is called education in preventing the increase of crime, there is no Gentleman present who will deny, that, for the last thirty years, the circulation of books, pamphlets, bibles, newspapers, &c., has increased ten-fold—and, by the bye, 'tis very strange, too, that with a liberal Government—a Government apparently anxious to promote education among all classes too—it is very strange, I say, that Acts of Parliament should exist prohibiting, under the severest penalties, the circulation of knowledge, and the spread of that education which they seemed to have so much at heart. 'Tis very strange, I repeat, that under a liberal Government, as they style themselves, above 200 persons should be in prison at this moment for simply assisting in the circulation of that knowledge. But as to education preventing the increase of crime, as the learned Judge expresses in his opinion, prodigious as is the reverence I must pay to the opinion of their Lordships—prodigious, indeed, is the reverence I ought to pay to the opinion of the Bench—when I remember a learned Judge declared to a Grand Jury in York, no later than the year 1819—what sort of a Grand Jury they could be who swallowed it, I shan't say—when I find him, I say, congratulating them and the country on the existence of a National Debt; and telling them, with the gravest face, and in the most earnest manner, that the National Debt was a national blessing—it may be so to some; but it is one which my constituents have not the least relish for—prodigious as, I say, my reverence for the Bench is, increased, too, as I say it is, by such doctrines, yet I cannot agree to what the learned Judge says about education. The same learned Judge subsequently delivered some very extraordinary opinion on the law of libel in my own case. I am not the person who will quarrel with him now for that, or impeach his legal acumen and knowledge. I am not, of course, a profound lawyer; and of law I must necessarily know less than he knows. I wish I knew nothing. But on matters of political economy, or of education, and the effects of knowledge upon crime, I am quite as competent to form and express an opinion as he is. But it is not a question of my opinion against his; it is a question of fact. I only repeat now, what every Gentleman present knows as well as I can tell him, that though, for the last thirty years, bibles, tracts, pamphlets, newspapers, and penny publications have covered the entire country, as a field is covered by a shower of snow, still the increase of crime has not been in the slightest degree prevented. On the contrary, look at the criminal records of the country, and see if the increase of crime has not gone on increasing with the increase of knowledge, and the circulation of cheap publications. I do not mean for a moment, to impute the one to the other; or to say that the increase of crime is caused by the increase of knowledge; but still, I think, it is only fair to show, that the increase of one does not prevent the increase of the other; and that any argument founded on that basis must be futile. I am for the repeal of that tax, because I am for the repeal of all taxes, and because I wish freedom for every man to think, and write, and speak as he pleases, subject, of course, to the laws on the subject.

Lord *Althorp* said, that he had just heard an observation from the hon. member for Oldham, which he had frequently heard before in that House by those opposed to the principles of education—that the extension of education did not prevent the increase of crime. A great deal had lately been called education, which was only the name of education; and if real education were spread among the people, he believed that great benefit would arise, and that it would have a great effect in preventing the increase of crime. He was aware that Returns might be referred to which showed that an increase of crime had taken place during certain periods. The hon. Gentleman, however, should consider the circumstances out of which that increase had arisen, and that it had generally been found, that most of the criminals had been entirely uneducated. He begged leave, therefore, to enter his protest against the principle that the hon. Gentleman had laid down, namely, that no decrease of crime followed the diffusion of education.

Mr. *Faithful* remarked, that the noble Lord opposite appeared to have mistaken the meaning of the observations offered by the hon. Member below him (Mr. Cobbett). The latter had not said, as he understood him, that education had no tendency to prevent crime, but the contrary. He (Mr. Faithful) was ready to acknowledge that education had, to a certain extent, the effect of preventing crime, and he had no doubt but a great deal of crime had been prevented by the extension of education of late years. It would, however, while they admitted that principle, be desirable to inquire into the real cause of the increase of crime of late. He believed, that they should find that the increase was attributable to the present horrible system of taxation, and that crime would not be prevented till that system was altered. If an end were put to it, crime would soon decrease.

Mr. *Aglionby* said, that he hoped, with reference to the taxes on knowledge, that the measure which he understood was in contemplation by his Majesty's Ministers would be sufficiently extensive to give satisfaction to all parties.

BETTER OBSERVANCE OF THE SABBATH.] Mr. *Littleton* presented three Petitions from certain Inhabitants of London, and two from Derby, expressing their satisfaction at the Report of the Committee on the subject last Sessions, and praying for the enactment of a law to enforce the better Observance of the Sabbath. He would not then enter at length into the question; but he would observe that, in his own opinion, moral force would be quite sufficient to effect the object of the Petitioners. In the county which he represented, the Magistrates passed Resolutions a few years ago, calling on masters to pay their men on some other day, so as to do away with the necessity of dealing on the Sabbath; and although that had not been done to such an extent as could have been wished, still where it had been done, great benefit had resulted. He generally employed from 100 to 200 labourers, and he paid them on a Tuesday, a plan which he found prevented much of the dissipation and drunkenness that were occasioned by paying men on Saturday night. If gentlemen generally would use the influence they possessed in their own immediate districts, to put a stop to the present system, he was sure they would very soon see the most beneficial result. However, he would not be understood as opposed to the enactment of a law on the subject. In making these remarks, he had only endeavoured to show how far the necessity of such a law might be obviated by the force of moral agency.

Mr. *Wilks* thought other means than legal ones should be resorted to for the purpose of enforcing the better observance of the Sabbath. He thanked the hon. member for Stafford for the valuable communication—the result of his personal experience, which he had made to the House on the subject; and for the satisfactory proof he had in so far given of the little necessity of laws for the purpose.

Petition laid on the Table.

Mr. *Hill* presented a Petition from Kingston-upon-Hull, praying for a due Observance of the Sabbath. He was happy to hear from the hon. Gentleman who intended to introduce a Bill on the subject, that there was no intention to interfere with the recreation of the lower classes on Sundays. The great difficulty, however, which the hon. Member would have to contend with, was to shape the law so as not to create feelings of hostility between the rich and poor. He trusted the hon. Member would do his best to get rid of that difficulty, as he would then promise him his most cordial support.

Mr. *Cobbett* remarked that there was a considerable disposition on the part of many hon. Members in that House to remove the disabilities under which the Jews laboured. When this bill, however, for promoting the better observance of the Sabbath, should have passed the House—should it so pass—it would be necessary to have some other bill respecting the observance of the Sabbath by the Jews. Their Sabbath was on the Saturday—ours was on the Sunday; so that there must either be some change of their religion on being admitted within the pale of the Constitution, as it was called, or of ours.

Now he, for one, was not disposed to change his religion, and he supposed they were as little disposed to change theirs. Well, then, there must be another law about the Sabbath beyond that now contemplated. What he had risen for, however, was to notice what the hon. Member had said about the lower orders —the lower orders. Now, he would be glad to know what was meant by that phrase. The clergy told them that all men were equal in the eyes of the Lord; that all men came out of the hands of the same Maker; and that all alike would have to give an account of themselves to him. What, then, did the hon. Member mean by the lower orders? If he meant that some were greatly and grievously oppressed by heavy and unjust taxation, while others almost wholly escaped, then he admitted that the former might with some propriety be denominated the lower classes; but if the hon. Member did not mean that, he was not justified in speaking of the labouring classes as the lower orders. He would never sit in that House and hear the industrious classes characterised as the lower orders.

Sir *Charles Burrell* said, the hon. member for Oldham was always speaking of the disposition of the rich to oppress the poor. He denied that there was any such disposition—he denied, too, that the rich escaped the pressure of taxation. He was certainly not very rich, but he knew for himself, and he believed it was the same with the hon. member for Oldham, that he paid his proportion of taxation, and he knew of no persons who escaped. What, he asked were the Poor-rates, and the House-tax, and the other numerous taxes that fell upon landed property? He denied, again, the rich escaped taxation. [Mr. *Cobbett* had never said the rich escaped taxation.] He would be glad to know, then, who they were that, according to the hon. member for Oldham, escaped taxation? Did he mean the fundholders? He (Sir C. Burrell) denied that they unjustly escaped. They had lent their money to the State, and they had as much right to be repaid as would the hon. member for Oldham had he lent money on mortgage. Indeed, the fallacies of the hon. Member were so gross and palpable, that they almost carried their own refutation. Night after night they had heard from the hon. Member that the rich had no feeling for the poor. He must deny that statement. He had been at a meeting last week, when what were called the rich had come forward most liberally in support of the poor; and amongst those were noblemen, merchants, and a great many clergymen, both of the Church of England and Dissenters. He knew of a clergyman who had sent 1*l.* to Alderman Atkins, to be distributed among the distressed, stating at the same time that he had just sent a son out into the world, and he never did so without giving a donation to the poor. There were in that House many most hon. Gentlemen, in fact there were three or four then present, who bore most honourable characters, whose grandfathers belonged to that class of the community alluded to as the poor. However, there was another class of men in the community, who had made their fortune by exciting the poorer classes against all those from whom they got their living. If any such should find their way into that House, they ought to be spurned.

Mr. *Hutt* said, that he had been requested to support the prayer of the petition, which he did with the greatest pleasure. He was most anxious and desirous to see the Sabbath, which ought to be a day of rest for all classes, properly and religiously observed throughout the country. The poor and industrious classes, who toiled throughout the week, were justly entitled to enjoy that day as a day of rest from their labours; but he thought the laws at present in existence were quite sufficient for punishing the desecration of that day.

An *Hon. Member* said, he had a very great respect for all classes of the community who conducted themselves properly. Though he did not entertain a very high respect for the political opinions of the hon. member for Oldham, yet for that hon. Gentleman's knowledge of the English language he had a very high respect, and he would feel most particularly obliged to him if he would point out, or give them another term, in place of that which had displeased him—"lower orders."

Mr. *Ruthven* said, that upon no subject more than the one now under discussion should the term "the lower orders" be kept out of view. In the eye of the Almighty there was no difference between the poorest of the people and the Monarch on the Throne. No Member of that House felt a greater desire to promote the due and religious observance of the Sabbath than he felt. The proper observance of that day, a day which ought to be set apart for rest and the exercise of religious feeling, harmonized all classes, and tended, in an eminent degree, to make men better members of society. With reference to the prayer of the petition itself, he must confess, that he felt a great objection to harsh and severe laws, compelling the proper observance of that day being enforced. They ought to observe the sacredness of that day with religious feelings, which no law could create, however severe such a law might be. He would call upon the clergy throughout the empire to set a good example to their flocks, and to show that religion had had a good effect upon those who professed to practise it, and that they (the clergy), by their preaching and living, might prove its good effects upon themselves. He was sorry to be obliged to state to the House that the clergy, by their conduct, had set a very different example from what they ought, and from what was expected from them; he might truly say, an example which was unworthy to be followed.

Mr. *Wilks* confessed himself a strong advocate for the strict observance of the Sabbath, and therefore he most cordially gave the petition his support.

An *Hon. Member* said, he had heard a great many strange arguments on this subject. It had been said, among other statements, that it was vain to introduce any Statute-law on the observance of the Sabbath at all. If this was to be carried to the full extent of the argument, it could mean neither more nor less than to say that all law might be dispensed with together. This could not be a doctrine very likely to meet with the support of the House or the public.

Sir *Matthew White Ridley* was anxious to say a few words on this very important subject, particularly as he had been intrusted to support a petition from his own part of the country very much to the effect of the one which had just been presented. No man could be more desirous than himself that the Sabbath should, in all respects, be duly observed; but it was his candid opinion, that it could not be made to be more sacredly observed by any legislative Act whatever. If an individual had not a proper sense of what was due to his Creator, so as to induce him to abstain from worldly pursuits and other unchristian vocations on the Sabbath Day, no legislative enactment would render him more attentive to his duties as a Christian. He agreed with what had fallen from the hon. member for Oldham in one respect, and in one respect only—namely, that if any legislative act were to be passed for the better observance of the Sabbath, it ought to be directed against all classes. It would be a most improper interference on the part of Parliament to enact for one class of society a Statute for the observance of the Sabbath, leaving another class exempt. He would suggest to hon. Members who had thought on this subject, and he gave them as much credit as he took to himself for a real inclination to observe the Sabbath, that a most effectual way to inculcate a proper and regular observance of the Sabbath was by those who filled high places setting an example which must have its proper influence on other classes. The example of the higher and richer classes would have a great effect in inculcating upon other classes of society the proper observance of the Sabbath, and a much greater observance than any other course that could be thought of. There was an old Act, still in existence, to compel every poor man to make himself decent before he went to church on Sunday. But there was another Act which prohibited barbers from shaving on a Sunday. The latter, however, was generally considered to be so absurd, that it was never enforced. It was well known that a poor man could not have an opportunity on Saturday evening of making himself fit to attend at a place of worship on a Sunday morning, and why there should be a law to prevent him doing it on Sunday morning it was difficult to conceive. He doubted exceedingly the efficacy of any law that could be passed in effecting the object in question.

Petition laid on the Table.

EMANCIPATION OF THE JEWS.] Mr. *Hill* presented a Petition from a Congregation of Unitarian Dissenters, assembling for Religious Worship, in Bowle-Alley-Lane, praying for the removal of all Religious Disqualifications, still existing, and especially for the removal of the Disabilities affecting the Jews. There was one remark of the hon. member for Oldham, upon which he wished to observe. He understood the hon. Member to say, that if the Jews were admitted to the same rights—or privileges and favours, as the hon. member for Oldham, whom he observed to be a great critic on words, wished them to be called—there would be an end to the Christian religion. But suppose that the Jews were relieved from their civil disabilities, the hon. Member need not change his religion, whatever was done in favour of the Jews, nor need any change take place in the Sabbath Day. The Jews were careful to observe both the Jewish and Christian Sabbath. He never heard of the Jews offering such an insult to the religious feelings of the country in which they happened to reside, as not to show all proper outward respect, and that was all that could be required of them, for the religious institutions in the midst of which they lived. If the hon. member for Oldham were to go to Turkey—and he should be sorry for him to go there, or any where else, that would take him away from them—he would find himself obliged, by that courtesy to the opinions of others which had marked his conduct through life, to observe the Friday with the same strictness as the Jews did the Christian Sunday in this country. If the hon. Member did so, no Imaum in Turkey could justly complain of him. He had to thank the hon. member for Oldham for calling his attention to the phrase "lower classes," which he certainly did not like, because it had been used to imply a contempt which he should be the most contemptible of men if he could feel. He had no right to put himself above the labouring class, as he supposed the hon. member for Oldham would prefer calling it, for he belonged to that class. He maintained himself by his labour, but he was, nevertheless, much afraid, that when the hon. member for Oldham came to discuss the burthens borne by the labouring class, he would not allow a poor lawyer to mix himself up with it. The prayer of this petition had his cordial support, for he thought it a disgrace to the country, that every remnant of the laws against the religious liberty of the subject had not long since been swept away. Even yet, Dissenters were not admitted to the Universities without signing certain tests, and, although this might be thought a trivial evil by those who were not Dissenters, he, who had sprung from a Dissenting family, could assure the House that it was severely felt.

Mr. *Cobbett:* Sir, this is a petition for abolishing Christianity in England. Since this Parliament met, we have made tolerable progress in abolishing many excellent things. We began by abolishing the Committee of Grievances; we next abolished the Committee of Religion; after that we abolished the Committee on the Courts of Justice; and then we abolished the old practice of presenting petitions in full Parliament, and established a petty Parliament, sitting in the middle of the day, for the purpose of appointing at the same time a Committee to take the petitions of the people into consideration, and order such parts as they chose, and not as the House of Commons chose, to be printed. That was a pretty beginning; and now comes this petition for oversetting the Christian religion. Let the hon. Gentleman tell me, in what position the Courts of Law would be, if the Jews were emancipated? God knows, the Jews make free enough already, and certainly get more money together than any set of Christians. As if this were not enough, a clause was slipped into an Act of Parliament a few years back to enable them to possess freehold property in England. It would not have been passed so quietly, I promise you, if I had been in Parliament. But let the hon. Gentleman, I say, tell me what would be our position with a Jew Judge upon the Bench—a blasphemer by profession—one who calls Jesus Christ an impostor? What would the hon. Member do with this Judge stuck up there, to try a man for blasphemy? He is himself a blasphemer, and regularly, once a week, blasphemes Jesus Christ in the Synagogue, and once a year crucifies him in effigy. I understand that, to the shame of the benchers, one Jew is already at the bar; but what will the hon. and learned Gentleman say if a Jew Judge is stuck up to try Carlile, or any other blasphemer? What could there be then said about tithes? If the Jewish religion is as good as the Christian, or if the Christian be good for nothing, why do we maintain a Church Establishment? As to the fanatics who petition about the matter, they have not considered it—they know not what they say, nor what they pray for. They can never have reflected that the House cannot grant the prayer of this petition, without saying that nothing is blasphemy. They cannot have reflected that the Jews call Jesus Christ an impostor. They write it in their books, they preach it in their sermons, they utter it in their prayers, and they sing it in their psalms, which they sing loud enough to stun any unfortunate Christian who may happen to be within hearing. The hon. Baronet opposite (Sir C. Burrell) has challenged me to substantiate my statements as to the unequal pressure of taxation on the rich and on the poor. That challenge I can easily accept. In the first place, however, I deny that I have ever desired to raise a prejudice against the land-owners; nay, it happens singularly enough, that I and my colleague, the representatives of a manufacturing town, in which a great cry has been raised for the repeal of the Corn-laws, have convinced the people that the Corn-laws ought not to be repealed until all the other burthens have been taken off the land. As to my statements with respect to the Stamp-duties, I took the Acts of Parliament as I found them: I fabricated or invented nothing. If a fundholder die, and leave an intestate estate worth 1,000*l.* to a son or a brother, that son or brother has to pay, in legacy duty, 45*l.* The hon. Baronet does not seem to know this. If a Bishop die, as the Archbishop of Armagh, and the Bishop of Winchester did some time ago, leaving 300,000*l.*, he has only 6,500*l.* to pay, which is not one-half in proportion to what the fundholder pays. Earl Fitzwilliam has just died, and his son has come into possession of his estates. I call upon the House to mark what I am going to say. I desire the House to mark it well, and to say, whether the present state of things is likely to be much longer borne. Well, Lord Fitzwilliam has just died, and it is said that his landed estates are worth 100,000*l.* a-year. I dare say that is the case. Well, no man grudges his heir his property; for myself, I have never written or said anything likely to excite the enmity of the poor against the rich. I defy any Member of this House to show that I have ever done so. Well, as to the estates of Lord Fitzwilliam, what I have to state is this, that if this heir were to pay in proportion to the poor, he would have to pay in taxes the sum of 180,000*l.* What does the House think of that? Do they believe it possible that the people will endure this state of things much longer? If they do, I can tell them that they are very much mistaken. I have heard some talk about a graduated Property-tax, as a means of relieving the poor from the pressure of taxation. I am for no such thing. I am not for getting rid of the Stamp-duties. Let those taxes be continued; but, mind, let them be fairly and equitably imposed. If that be done, I and my constituents will be willing to overlook the past. We will not inquire what these landowners owe to the public. We will say nothing about the 200,000*l.* owing to the country by the right hon. Baronet of whom I spoke the other evening. Let them do justly for the future, and they shall have an indemnity for the past; but if they resist this, I warn them, and I warn the House, that they will not get off so easily. I warn the landowners that there will, in that case, be an inquiry into the past; an investigation into the sums of money which they owe the public; and an enforcement of payment to the full amount.

Sir *C. Burrell* observed, with reference to the observation of the hon. member for Oldham—that a widow or a brother, must pay a duty of 45*l.* on a legacy of 1,000*l.*—

Mr. *Cobbett:* I said a son or a brother.

Sir *C. Burrell* replied, that he would then give the hon. Member the benefit of the widow. Well, then, what was the fact? That a son only paid one per cent and a brother paid three per cent; therefore, the hon. member for Oldham had, as far as his statement of the law of taxation went, been considerably in error.

Lord *Althorp* observed, that the hon. member for Oldham had often referred to this subject, and would refer to it, he had no doubt, day by day, till the subject was regularly brought forward. He (Lord Althorp) should not, however, enter into the discussion of it at present. He considered it unfair for the hon. member for Oldham to introduce the question thus prematurely, when the Ministers of the Crown were unprepared for it. It would have the effect of creating an impression on the public mind, which was not justified by the fact. The hon. member for Oldham had said: "Let us do justice in future." He (Lord Althorp) said so too. He had already said, that it was contemplated by his Majesty's Ministers to bring the question of Stamp-duties before Parliament, a Bill for the consolidation of the Stamp Acts being now in course of preparation, when all the subjects to which it referred could be amply discussed. He would not support taxation that should press unfairly on any part of the community; and he would not press harder on one class than another, without giving reasons for it—he meant, that he would show that it was only apparently a pressure on any one class. The hon. Gentleman had called his attention to a great deal concerning these taxes, that he was previously aware of—namely, that some parts of the Stamp-laws required Amendment. If, however, the hon. Member looked at the general taxation of the country, he would not find, that the pressure was so unequal as he had described it. He believed, that the hon. Member would not be able to prove that the rich did not bear their fair proportion of the taxes; in fact, the revenue of the country could not be collected as it was, if the rich did not pay their share.

Mr. *Cutlar Fergusson* said, that it was scarcely fair, that the hon. Member should take up the time of the country in an attempt on every occasion to introduce the subject of taxation, and to entertain the House from day to day with his notions on the present system of Stamp-duties. He (Mr. Fergusson) should not, however, enter into the Stamp-duties question. The question then before the House was, whether the House should receive this petition in favour of the Jews. He believed, that every description of religionist, who was not disqualified by law—and no person ought to be disqualified who was not dangerous to the State—that every such person had a right to be eligible to every office of the State, without the slightest regard to his religious principles. He found no difficulty in admitting persons of a different creed. He knew of no test which excluded them from offices of State. He did not believe, that the Jews indulged in an annual mockery of the crucifixion, as had been stated. He believed them to be as good subjects as any others; and he thought the system of moral jurisprudence would not be complete if Emancipation were longer withheld from them. There was only one oath which excluded them from the House of Commons—that was the Oath of Abjuration, when the person swearing was required to pledge himself " On the true faith of a Christian." This oath, which was first created in the reign of William 3rd, and which he wished were repealed to-morrow showed that Jews were eligible to sit in that House anterior to that time; and if it were repealed, they would be eligible to sit now. In his opinion, the Jews were as competent to sit in that House as those of any other persuasion; and when opportunity offered, in the course of the Session, he would undertake to prove it to the entire satisfaction of the House.

Mr. *O'Dwyer* dissented *in toto* from the position of the hon. member for Oldham on this question, though he agreed with him, he was happy to say, in most others; and he regretted exceedingly, that the hon. Gentleman should bring his high—and deservedly high—character for power and ability, to bear on the pretensions of any body of religionists to their prejudice.

Mr. *Hutt* said, that so long as the religious opinion of individuals was not inconsistent with the general welfare of society, he thought they should not and could not, in common justice, be excluded from the enjoyment of civil honours and the eligibility to fill civil situations.

Mr. *Andrew Johnston* said, that if the majority of that House were of the opinion which had been expressed by many hon. Members that day, the present would be the last Christian Parliament which would sit in that House. He agreed with the hon. member for Oldham, in what he had stated upon this subject, though it was not often that he did agree with that hon. Member. He thought that hon. Member had gone to the root of the matter, and placed it upon its proper basis. The hon. member for Oldham had clearly shown what the Jews were in regard to a Christian community, and he (Mr. Johnston) had no hesitation in saying, that if Jews were admitted into that House, there would be at once an end to all Christianity. They treated the very foundation of the Christian faith with ridicule, and called its great founder an impostor. He agreed with several hon. Members, that the present subject was not to be treated lightly, and regretted, that the hon. member for Oldham had in some measure so treated it. He, however, hoped, that in future he would restrain himself from making his remarks in the way he had done. He considered it very important also to look to what the petitioners were. It was true, that they were now living in times when all distinctions were to be done away with, but he entreated the House to recollect, that the present petition came from Unitarians, whom he denied to be Christians. He trusted, that hon. Members would rally round the Cross, and would not allow the Christian religion to be subverted by the introduction of Jews into that House. For his own part, he should endeavour to prevent the passing of any bill that would tend to allow the Jews to sit in Parliament by all the means in his power, and he entered his most solemn protest against the prayer of the petition.

Poland.] Mr. *Hill* presented a Petition from the inhabitants of Kingston-upon-Hull, praying the House to present an humble Address to his Majesty, imploring him to enter into an immediate negotiation with France and the other Powers of Europe who were not parties to the dismemberment of Poland, with a view to restoring that unhappy country to her rights. The outrages which had been committed in Poland were so numerous, and so abhorrent to the feelings of all the civilized world, that it would be a waste of time at present to enter at any length upon it. It might appear, that this petition prayed the House to enter upon a hopeless subject; but when they considered the state of Poland, the enormity of the crime, the carrying away of a whole nation into captivity, treating them as the Jews of old were treated by the Babylonish kings, putting them in a state for which they must refer to very remote history to find a parallel, he did think it became the duty of all the civilized world, however hopeless the attempt might appear to be, to use every possible exertion to put an end to such dreadful atrocities. It was yet to be seen whether the emperor of Russia would be deaf to the entreaties of the whole civilized world. That experiment, at least, had not yet been tried. The present petitioners forbore to allude, in the most distant way, to force, to attain their object, and they did wisely; every thing should be previously tried, and perhaps, in the event of failure—even then, in the present state of the world, the experiment should be carried no further.

Mr. *Cutlar Fergusson* observed, that it was not his intention to occupy much time upon this most interesting subject on the present occasion, but he could not forbear to deliver a few observations, in addition to what he had said on a former day. The facts which he had then stated, and the atrocious acts which he had then recited, were asserted by some hon. Members to have been exaggerated. Instead, however, of having been exaggerated, they had been infinitely understated. He had done nothing like justice to the wrongs of that great, honourable, and gallant nation. Since he had had the honour of addressing the House, an edict more barbarous than any that had ever issued, he believed, from the greatest of Roman tyrants, had been sent forth by the emperor of Russia, by which he had consigned 50,000 brave people to transportation. He had included in that edict the transportation of whole families who had never offended. He had likewise included those who had returned from transportation, and rejoined their families upon the faith of the promises of the emperor, that they should not be molested. In addition, he had likewise included those who had been merely suspected of the slightest offences. Surely it was quite sufficient to state this. But the outrages were not thus confined. The whole population of Poland, men and children, had been carried away, swept away, he might say, to the wilds of Siberia—and there left to forget their country. They were treated as slaves, and in that way, like beasts, were the unfortunate Poles driven into the most savage corner of the earth. He thought, that if Europe looked upon this conduct without feelings of the utmost horror, and without summoning up a determination to call for a redress of these wrongs, it ought to be despised and degraded in the eyes of all ages hereafter. He hoped his Majesty's Government had been interfering upon the subject. France had undoubtedly been doing so, and he believed had gone the utmost length she could go, short of hostilities, to prevent a continuance of this most outrageous and profligate conduct. The first time at which he had addressed the House would have been a proper period for the interference of this country, because that was the moment at which the nationality of Poland was undergoing destruction; and the independence of Poland was as much secured as that of any other nation by the Treaty entered into at Vienna. He trusted the House would not think it too late even now to bestir itself, and do something in favour of unhappy Poland. In his opinion, the country was greatly disgraced by not having done something, and done it effectually, long ere now. He believed the safety of Poland would have been preserved if there had been a due and vigorous interference on the part of England. If there had been anything like the interference that had been made in favour of Belgium, Poland would have been Poland still, and in the eye of a statesman, the independence of Poland was of infinitely greater importance than the independence of Belgium. But he would not venture himself to go into the subject at present. He believed, by giving way as regarded Poland, Europe was only encouraging Russia by one great struggle to invade and subdue every country throughout Europe. In the struggle he sincerely hoped she would fall. From what had taken place to his knowledge, he believed, that Russia had her eye upon the northern powers of India—that when she had made her way secure there, she meant to advance upon Turkey, then upon ourselves, and, if possible, to conquer the whole of the Continent. Sooner or later, we should be obliged to fight for our own independence, and the possession of our Asiatic dominions, and we should have to encounter the tyrant of the North, both in Asia and in Europe.

Mr. *Fergus O'Connor* was delighted to hear hon. Members get up in that House, and plead the cause of the distressed, even though it were of Poland or Greece. At the same time, he certainly could not but express his wish that he could have succeeded in enlisting their sympathies in behalf of Ireland. The people of that country had grievances and complaints equally strong with the people of Poland; but was it not extraordinary that hon. Gentlemen should get up in that House and eloquently plead the cause of the oppressed Poles, and with equal eloquence call for measures of coercion and despotism for Ireland. Would it not be somewhat more in character for hon. Members to look nearer home? For himself, he should be ever ready to advocate the cause of the distressed, to whatever country they might belong; but he could not avoid again imploring hon. Members to remember that Ireland was oppressed, though their sister-country.

Mr. *Cobbett* said, the petition that had been presented was equally creditable to the petitioners and to the hon. Members who had brought it forward and supported it. He fully concurred with them in lamenting the condition of the Poles; but at the same time he must observe, that it was folly to suppose that this country could render any practical assistance to that unfortunate country. But though he lamented equally with other hon. Members the transplantation as it was called, to Siberia, of 5,000 Polish families, he could not forget—not the transplantation, but the driving out and almost extermination, of nearly an entire county in Scotland. Oh, no! He could not forget that! And he wished that the cause of the poor and ill-used people in that case, had fallen into the same able hands, as the cause of the Poles this morning. Did hon. Gentlemen forget that the inhabitants of almost an entire county had had their houses burnt down, and themselves driven at the point of the bayonet from the land upon which they were born? Let it not be supposed then that it was only in Poland that these monstrous crimes had been committed! The same thing had beeen done in Scotland; aye, and without the same motive too. Every body knew that [*No, no.*] He repeated every body knew that! [An *Hon. Member*: I do not know it.] "Then read it." If hon. Gentlemen would institute an inquiry into that transaction, it would be creditable to them. Aye, much more creditable than going to Poland or Siberia in search of such cases of oppression. He always distrusted those who went to a distance to find objects of compassion, when they might discover them so much nearer home.

Mr. *Heathcote* deprecated the continuance of these lengthened and desultory discussions on the presentation of petitions. He was of opinion that hon. Members would not be able to justify themselves to their constituents for thus wasting the time of the House. One of the heaviest complaints against the former Parliament was, that there was infinitely too much talking, and very little done. He regretted exceedingly to see, however, that the Reformed House was no better, and he feared much worse, than the unreformed House. It reminded him of the fable of the swallow—it had only brushed out the old inhabitants of the nest, to bring in a lot of more insatiable talkers. First, a petition was presented in favour of the Jews, which led to a long discussion as to who were and who were not Christians. Then came a petition in favour of the Poles, when his hon. friend, the member for Kirkcudbright, having promised to make a very short speech, made a very long one; and now the hon. member for Oldham was prepared to go into a discussion connected with emigration from Sutherland.

Mr. *Cutlar Fergusson* did not think that he deserved the censure of the hon. Gentleman. He had not departed from the question which was before the House, yet the hon. Member had thought fit to blame him. He did not know what the hon. Gentleman meant by the remarks which he had made.

Mr. *Heathcote* said, he had been misunderstood by the hon. Member. He did not complain of his departing from the question. All he had said was, that the hon. Member as usual, began with saying that he would trouble the House but a very short time, and then made a very long speech.

Mr. *Hutt* did not fear but that he could justify himself to his constituents and to the country, whenever he might think it necessary to address that House. He fully concurred in the prayer of the petition in favour of the unfortunate Poles; and he would assure his Majesty's Ministers that they could not possibly do an act more gracious in itself, and more important to the cause of civil and religious liberty, not merely in this country, but throughout the world, than to interfere in behalf of that gallant and brave nation, and endeavour to deliver them from all the horrors and miseries of their present condition.

Mr. *M'Leod* declared that he could not sit silent after the most gross and unfounded attack which the hon. member for Oldham had made on the county which he (Mr. M'Leod) had the honour to represent. In doing so, he had to throw himself on the indulgence of the House, and of the people of England. He called upon them to suspend their judgments for the present, and not to give credit to the gross aspersions that had been cast on those whom he represented. Although he did not impute those calumnies to the hon. member for Oldham himself, never had more infamous calumnies been uttered by any hon. Member, and that without the slightest notice too to the parties interested, and without the possibility of their coming forward to contradict them in that House. The county which he had the honour of representing belonged in a great part to certain noble individuals, who had always treated him with marks of favour and distinction, to which he individually had no title; and he should have been chargeable with a dereliction of positive duty, if he had not stood forward to give the most unqualified contradiction to the hon. Member's assertions. The transaction, instead of having produced any decrease among, or inconvenience to, the inhabitants of the county, had been productive of actual advantage and benefit. The noble individual at the head of the property had done much more than perhaps any other Gentleman in that House, for the advantage of any particular locality. He had actually made 500 or 600 miles of road at his own private expense. The population of the country, in place of being diminished, had been increased, and along the whole line of that road there were to be seen populous and flourishing villages and arable ground, in a state of as fine and rich cultivation as could anywhere be met with throughout England. He would not detain the House any longer, for he was not prepared to enter into a discussion of the subject, but he could not sit down without again giving a full and complete contradiction to the statement of the hon. Member.

An *Hon. Member* expressed his conviction that, if the hon. member for Oldham were to investigate the subject, he would find, that what he had described as facts were entirely destitute of foundation.

DISTURBANCES (IRELAND) PETITIONS.] Mr. *Bolton King* presented a Petition from the Members of the Council of the Warrington Political Union, against the Irish Disturbances Suppression Bill. He was sorry he could not agree with so large a body of his constituents, but feeling convinced that the measure brought forward by Ministers was indispensable for the preservation both of the lives and of the property of his Majesty's peaceable subjects in Ireland—a measure (although coercive) in which he perfectly concurred—he could not support the prayer of the petition.

An *Hon. Member* said, he had been requested by the petitioners to support the prayer of the petition, but he felt himself unable to do so, because he was convinced, from all he had heard, both in the House and out of it, that measures of coercion were indispensably necessary to repress the outrages now taking place in Ireland, and to protect the lives and property of his Majesty's more peaceable subjects. He also felt convinced that Ministers had brought forward the measure with great reluctance; and he was persuaded that the powers contained in it would not be harshly or unnecessarily exercised.

Sir *Gray Skipwith* had also been requested to support the petition, but he could not do so, as he felt that the measure before the House was a necessary one.

Mr. *Ruthven* said, as this was the first petition from Englishmen against the Bill, he thought it was due to them that some Irish Member should make some observation on it. He, for one, was happy that it had been presented, and he hailed it both as a token of good will in the English towards his countrymen, and an augury that the fatal measure against which it was directed would not be suffered to pass into a law.

Petition to lie on the Table.

Mr. *O'Dwyer* presented a petition, numerously signed, from the inhabitants of Drogheda. With the permission of the House he would enter somewhat minutely into the prayer of the petitioners. The petitioners referred, in the first place, to the coercive measures for Ireland, introduced to that House by his Majesty's Ministers within the last few days. They stated, that they had learned the intention of the Government with sensations of the utmost grief and astonishment; and they designated the Bill as one of the most tyrannical and despotic ever attempted to be passed into a law for a free people. They stated that they expected measures very different indeed from a Reformed House of Parliament, and not such a proceeding in this respect as the worst Parliament that ever sat in that House ever took—or the worst Government that ever cursed the country dreamed of inflicting. They expressed their humble, but entire confidence, that that and the accompanying measures—called a panacea for Ireland—would have no such effect; but, on the contrary, that measures of coercion first, with measures of relief to follow, would most assuredly increase the irritation, and sting an excited people to madness. They stated also, something of their efforts in the great struggle for Reform in which this country was lately engaged; but he should be sorry to suppose that that House valued the aid of so insignificant a fraction of the United Kingdom. They asked that honourable House "to consider their case first, and then to act towards them as justice should dictate." But they little knew the feelings of that honourable House for Ireland, or they would spare themselves the humiliation and the pain of such a petition. They stated that the town of Drogheda was, as usual, quiet and peaceful as any other town, or city, or village, in the British Empire, notwithstanding the daily—nay, the hourly extortion and iniquities of those in power and in authority there. They moreover stated, that "the neighbourhood of the town is nearly tranquil." "It was never otherwise." They begged to assure that honourable House, with all the humility which beseemed them in the guise of petitioners, though the right hon. Chief Secretary had marked it out as the scene of riot and lawlessness—an assertion which he (Mr. O'Dwyer) should in proper time effectually controvert, not by the authority of prejudiced spies, not by the misrepresentations of paid agents, whose interests and policy it evidently was to keep up the delusion regarding that oppressed country—but by the evidence and on the testimony of honest men, as much above suspicion as reproach. The district in their neighbourhood, the petitioners stated, was nearly tranquil, and the excitement produced by the oppression for tithes had almost died away. Yes, all the misery and disturbance of the country were caused by the persecutions for tithes—by the boon which was lately bestowed on them by his Majesty's gracious and benignant Government, the Tithe Bill—that measure which entailed an expense of a pound on the recovery of a penny due for tithes. The petitioners requested that that honourable House would deign to try first the experiment of mild and equal laws for Ireland (how little they knew the temper of those they thus supplicated!), before they visited that country with all the horrors of military despotism. The petition concluded by asserting that the Irish people ever were and ever would be, if justice were done them, among the most loyal, faithful, and effective subjects of the British empire. The hon. Member observed, that he had read the petition with attention, and, he need not add, with the deepest interest. He hoped it would meet the same attention, and some little portion of interest, from the House. He hoped it; but he feared his hopes had no foundation. It would be certainly "passing strange" if the petition of an integral portion of the people of this realm should not meet with the attention which the Legislature bestowed upon the affairs of foreign lands. Reserving to himself the right of making any further observations on the measures at another time, he would with the permission of the House, read a letter he had received from Ireland. The hon. Member read a letter which expressed the belief of the writer in these words:—"It grieved us much to read the King's Speech; but the Government are deceived if they suppose the people of Ireland are prepared to acquiesce patiently in their horrible measures. No, they are determined to resist them to the death." And this letter was written by a moderate man. He would not allude to other letters which he had in his possession, having stated enough, he hoped to give Ministers more correct information than could he hoped be obtained from paid spies. He should take an opportunity, when the subject was in full discussion, to deliver his sentiments at large on the oppressive measures proposed by Ministers.

Petition to lie on the Table.

Sir *Richard Nagle* presented petitions from Castleton and another parish in Westmeath, against the coercive measures for Ireland. He begged to state, that he had received a letter from a Gentleman in the neighbourhood of Castleton, which said, that he had not for ten years, known the country more peaceable than it was at the present moment. The unfortunate individuals, who a short time back had been driven to commit the nightly disturbances of which they had heard so much, had delivered up their arms, had returned to a sense of duty, and many of them had gone to work on the roads. The letter added that food, employment, and impartial justice, would do more to keep the country in peace than Mr. Stanley's Bill, and that the King's Speech had done more to advance the cause of Repeal than anything else could possibly have done.

Petition to lie on the Table.

Mr. *Wm. Roche* had also a petition to present on this portentous and important subject—the proposal of his Majesty's Ministers to coerce the people of Ireland. It was signed by 600 of the most respectable inhabitants of St. Mary's, Limerick. They prayed that no harsh measure might be resorted to without inquiry, as it would be attended with the most mischievous effects; although they were as loyal as any class of his Majesty's subjects, they could not restrain themselves from protesting against this invasion of public liberty. For himself, he could not but express his abhorrence of the measure, which he considered to be unprecedented in the annals of despotism.

Mr. *O'Brien* was convinced that the measures of Ministers would give great dissatisfaction. The petition came from a part of the country which never was quieter than now. The recollection he had of the atrocities committed by the soldiers and police when the Insurrection Act was granted on a former occasion made him look with horror upon the present Bill. On a former occasion, the police committed the greatest atrocities under their power of making nocturnal visits at the dwelling of any person. He knew of an instance of the police unthatching the roof of a cottage, and setting it on fire, and compelling the inhabitants to show the men that they were men, and the women that they were women. He supported the petition, which declared that nine-tenths of the country were peaceable, and that only one or two counties were in a disturbed state; and it was very singular not a single petition had been presented in favour of the coercive measure—not one of the thirty-two Lord-lieutenants had come forward to support it. He understood that a letter had been received from the Marquess of Anglesey, declaring that he believed, even if he had the Act of Parliament, he could not carry it into effect. He should give, on every occasion, his opposition to the Bill.

Petition to lie on the Table.

SUPPRESSION OF DISTURBANCES (IRELAND) — ADJOURNED DEBATE.] Mr. Henry Lytton Bulwer presented a Petition from Coventry, against the proposed coercive measures for Ireland, which they considered were intended to perpetuate the exaction of tithes.

Petition laid upon the Table. The hon. Member moved the Order of the Day for resuming the Adjourned Debate.

Mr. *Henry Lytton Bulwer* should not have felt it necessary to trouble the House with any observations, were it not that of the very various statements of opinions which he had heard during the debate, not one of them had expressed the sentiments which he entertained with regard to the measure under consideration. Not a Member had addressed the House during the discussion whom he did not differ from. He dissented from a great part of the observations of the hon. and learned members for Tipperary and Leeds; and when he recollected the indefatigable and unremitting exertions of the noble Chancellor of the Exchequer, and of the right hon. Gentleman opposite—during a season of great trouble and difficulty—to carry a measure which they believed to be for the advantage of the country, more especially for the consolidation and extension of its liberties, he felt a desire to express his dissent from the censure,—he might almost say the aspersions—which an hon. and learned Member had cast upon his Majesty's Ministers. To the hon. member for the Tower Hamlets who addressed the House last night, he had listened attentively without being able to understand what the hon. Member really meant—unless, indeed, with a desire to conciliate, the hon. Member wished to throw his speech to one side, as a compensation for the vote which he intended to give to the other. The hon. Member declared, that the present measure was either wrong in principle, and therefore ought not to be agreed to at all, or right in principle, and therefore ought to be carried immediately. Did the hon. Member mean, that the House should be called upon to express an opinion as to whether the measure was founded upon a principle in accordance with the spirit of the Constitution?—whether or not it was a constitutional proceeding to suspend the Trial by Jury, and to abrogate the right of petitioning Parliament? If the hon. Member meant to put that question of abstract principle to the House, there would be little difficulty in coming to a decision upon it. Surely, however, the hon. Member could not mean to contend that extraordinary cases would not sanction extraordinary measures. He could not mean, that the Legislature was to be gagged and bound by the letter of the Constitution, so as never to attend to its end and spirit; or that life, property and liberty were to be sacrificed, in order to preserve the law. It was indispensable on some occasions, that the conduct of Government should be regulated by State necessity; and upon that ground the present question was to be decided. He did not vote for the amendment which was proposed on the Address, because he thought it fair to give Ministers credit for intending to bring forward beneficial measures for Ireland; but he was of opinion that no amendment could be more reasonable than that of his right hon. friend the member for Lambeth. It embraced everything that could be desired. If the House had been called upon to vote, that the first reading of the Bill should be postponed for six months, he would not have consented; for he was not prepared to say whether the disturbances of which they had heard so much, were of such a nature as to render the application of the present Bill indispensable for the protection of life and property. Such being the case he would not wish the House to come to a vote which would make the existing Government, or any other Government, feel that, if additional powers were requisite to preserve the tranquillity of the empire, the House of Commons would refuse to grant them. If there were conspirators in Ireland (a circumstance which had not been proved) he should not wish to encourage them by a vote of this House against intrusting the Government with extraordinary powers. The effect of the amendment proposed by his right hon. friend would be this;—not to defeat the Bill altogether, but, by postponing it for a short time, to afford an opportunity of satisfying the House, by evidence, whether the state of Ireland were really such as to justify the application of a measure of this description. The delay would give time for them to become better acquainted with the state of Ireland. In three weeks they would know the result of the Assizes; in the mean time they would also see the effect of those conciliatory measures they had all along contended would be sufficient for the pacification of the country. He did not mean to say they should see this in two or three weeks, but by suspending it from time to time, if no further necessity occurred for its enactment they would be able to ascertain, while, if that further necessity did occur, they would be then in a situation to pass the Bill. Those who thought the postponement too short, were by no means pledged not to insist upon its longer postponement. Those who would not leave the Government unprepared for any emergency, would also have their object secured. The agitators would know, that the Government held a sword over their heads; the peaceful people would feel that their liberties were safe in the hands of their Representatives. His vote would not be given in any spirit of hostility to the Government, between, which and every other Government that had brought forward such measures he saw no difference. The right hon. Gentleman said, that in order to introduce any permanent tranquillity into Ireland, all abuses must be removed. The right hon. Gentleman acknowledged that all this must be done—but he asked, "till it is done will you have life and property destroyed; or will you have life and property secure?" There was but one answer to be given to a question thus put to us. No person could feel more deeply than he did the grievances of Ireland; at the same time he did acknowledge, that neither those grievances nor any grievances could justify the commission of crime. What grievances could justify the crimes of robbery, arson, and assassination? Were not those crimes grievances? And was not Ireland to be delivered from such enormities? If the powers demanded were necessary in order to put down such atrocious acts or if these acts were connected with any conspiracy which those powers were called for to put down, he would not hesitate in granting them. He would vote for the present measures, if they were the only ones—but he must first know that they were the only ones, because it was natural to sanction such measures with extreme reluctance. The three objects which the noble Lord and right hon. Gentleman had to prove, were—1. A great increase of crime, and a continued perpetration of outrage. 2. The connection of such crime and outrage with a conspiracy. And, lastly, the most important point of all—that the measures they called upon the House to sanction were necessary for the suppression of such disorders. But it did not so necessarily follow, that the means which they proposed were the best or the only ones, for effecting their object. But as to this conspiracy and design to resist the authority of the Legislature by force of arms—what evidence was there? A friend of the member for Dublin had declared that he was willing, if the Government committed any atrocious act, to take up arms to resist such act, if desired to do so by the great Agitator and Pacificator of Ireland. He must confess, when he read this rhodomontade, that he felt great surprise that it should have occasioned alarm any where out of the hon. Gentleman's own family. If Gentlemen were alarmed at this, the ears of the House were getting very timorous indeed. He remembered an hon. friend of his, during the debates on Reform, declaring, that if that measure were not carried, and the people rose up in arms to carry it, he had a sword at their service. Did any one tremble at his hon. friend's visionary sword? Was it upon vapouring of this kind that men were to consent to resign all the rights and privileges of a free Constitution? Then, after having stated the opinions of the Pacificating Agitator, the right hon. Gentleman had proceeded to pull forth from his bundle of papers on the Table a document which he had supposed to be the solemn opinion of the Judges of Ireland respecting the disturbances of that country, and the impossibility under which they found themselves to perform their duties; but which was a ballad, and which he pronounced to be very bad poetry—very wretched doggrel, indeed, and this certainly nobody could dispute. But when he finished the perusal of this poetry, and when he (Mr. B.) had seen the right hon. Gentleman turn first to one side of him, and then to the other, he did think that he was about to say:—"Now, is it not the opinion of this House, that the learned Lord Advocate of Scotland, and the hon. member for Leeds, shall be sent off immediately with a bountiful provision of quires of paper and bundles of pens, and all the necessary implements which may be found in London and Edinburgh, for the purpose of teaching these doggrel-writing Irish a better style of composition?" He did think, that the right hon. Gentleman might be inclined to use the pop-gun of the critic—but he never for one moment dreamed that he meant to break this poetical butterfly upon the wheel of a Court-martial. But the right hon. Gentleman at last turned to the opinions of a Committee that sat about six months ago, and read from the Report of that Committee, and from the evidence of Mr. Barrington, a statement of the associations which existed, and of the outrages which attended upon those associations in Ireland. And he then turned round convincingly and said: "What will you say to this? Here are no anonymous letters—no testimony which you might be inclined to doubt or to dispute — there is the testimony of Mr. Barrington—of a gentleman whose word no one can dispute — whose evidence must bring conviction to the minds of every person—here is Mr. Barrington, who tells you that associations of the most terrible nature exists." But, on the first page of Mr. Barrington's evidence, it was stated, that those associations which now exist under the name of Whiteboys, were associations which had existed under the name of Peep-o'-day-boys, Thrashers, &c., for the last sixty years. So that Mr. Barrington declared, at the same time that he stated the existence of those troubles, that they only existed now as they had always existed. But then the right hon. Gentleman stopped short, and after stating what Mr. Barrington said respecting these associations, he did not say anything of the course of proceeding which Mr. Barrington proposed for putting them down. Was it fair not to state, that Mr. Barrington, when expressly asked what he would recommend for the purpose of suppressing such associations, declared that he could recommend only the ordinary laws vigorously administered according to the ordinary forms. Then the right hon. Gentleman opened the Report of the Committee before which Mr. Barrington had been called—he read part of the Report from that Committee, and said, that that Report ought to be sufficient to convince the House of the necessity of his measures. The Committee certainly did say, that nocturnal meetings, against which part of the present law was levelled, ought to be provided against—but in what words did they express this desire?—"That they wish that whatever authority shall be given to prevent these meetings should be placed under such regulations as shall effectually prevent the abuse of it, and shall carry it as little as possible beyond the strict principles of the Constitution." But, Sir, did Mr. Barrington, so important an evidence, to whom the right hon. Gentleman had done right to call the attention of the House—did he bear out the right hon. Gentleman's assertions, that there was a conspiracy against the Government of the country?—No. Mr. Barrington stated "that he has never known a single instance of hostility or combination against the Government for the last seventeen years." But Mr. Barrington's evidence went even deeper than that—he was asked to what causes he attributed the outrages he had been describing; and he said "the cause was, that the people of Ireland were not attached to the law, and that the great object was, to make Irishmen attached to the law." Was it then likely to make the people more attached to the law by stripping it of all its just forms and solemn decencies? Was it likely that the people of Ireland would believe justice more fairly administered when those who sat in judgment upon them wore swords. Mr. Barrington said, moreover, that those persons who act as Jurors under the Insurrection Act are frequently maltreated, but that he never knew the slightest act of hostility against ordinary Jurors. While the Irish people, then, were not attached to the law, it was evident that it would be the more odious to them the more violent and harsh it was made. They would only be rendered still more furious, and still more ungovernable by these new and more severe measures. And then, said the witness, after stating that the unhappy miscreants were goaded to madness by measures of severity—then, said he—and the words seem to drop unconsciously from his lips—"The Irish peasant is very much attached to any one who treats him kindly." Was not this picture an affecting one? There was exasperation following upon violence, and docility attending upon conciliation. Was not the whole code of policy, past and future, contained in this sentence? And observe! The Ministers brought in these laws to prevent intimidation to Jurors; and it appeared that it was only when such laws existed that intimidation was to be dreaded. Here then was evidence as to the outrages which exist—as to the conspiracy supposed to exist—as to the causes of violence—as to the intimidation of Jurors, and as to the necessity for extraordinary measures—all in direct opposition to the Bill before the House. There was all this evidence against the present measure; he must repeat, against—not the unconstitutionality, but the inefficiency of the present measure; and he would, therefore, re-echo one phrase of the hon. and learned member for Leeds—namely, "that he could imagine nothing worse than the enactment of a measure, which, being unconstitutional, should also be ineffectual;" and now, having again had occasion to take notice of that hon. and learned Member, he would address himself to one or two parts of his speech, and to which he was the more disposed to reply, since the hon. and learned Member brought against a relative of his a charge of inconsistency, which he did not very clearly establish. His hon. relative voted against the Address, on the grounds that it was impossible to pass a vote of approval on measues of coercion, without knowing what measures of conciliation were to attend upon it. And now, said the hon. and learned Member, was it not inconsistent, that, having given you measures of conciliation as well as measures of coercion, you still vote against us? His hon. relative might have been anxious to know two things—whether the measures of conciliation would have preceded the measures of coercion, and whether, if they did so, they would have been of that large and ample kind, that would have rendered others of a different description unnecessary. In that case there would have been no "coaxing with the hand and spurring with the heel;" the coaxing might have rendered the spurring unnecessary. But how was it, that the hon. Gentleman was for once, so singularly infelicitous in his allusions? Was there no inconsistency in the enemy to persecution supporting the suppression of petitions, and the eulogist of Hampden arguing against the legality of pacific resistance? The misfortune of distinguished ability was, that the words it made use of had a weight which rendered the impression indelible; and hardly had the hon. Gentleman's words of last night passed his lips, when his (Mr. Bulwer's) memory recurred to other words, which wore the usual characteristics of the hon. Gentleman's genius. "The dissenting party increased, and became strong under every kind of discouragement and oppression. They were a sect. The Government persecuted them, and they became an Opposition. The old Constitution of England furnished to them the means of resisting the Sovereign without breaking the laws." Now, he had as much fear and horror at this quiet and legal resistance, where he saw it, as any man could have; because he looked upon it with a shudder, as a possible prelude to more terrible things. He feared it; but where it once had taken root, he feared that it could not be crushed by force; since the law under ordinary circumstances, was so powerful a law, that he knew but few instances of its being successfully resisted in this manner, except where—as the hon. member for Calne once said—it had ceased to be law, by wanting that which was the spirit of all law—the sanction of the people. Did the hon. Gentleman not remember this; and when he spoke of the volunteer body as only wanting responsibility to be a Government, did it never occur to him, that a Government which wanted popularity wanted everything; and though it might be called a Government, yet it could not possess power? The hon. and learned Gentleman referred to the Jacobin Club; did he forget the contempt with which the term once applied was formerly treated by the noble Lord now at the head of the Government? He wished to say nothing harsh of the hon. and learned Gentleman, whose great talents no one more admired than himself, but he could not help—as he saw the hon. Gentleman, and as certain recollections, in spite of himself, rose up about him, he could not help thinking of some of those illustrious literary men, known to the times of which he spoke, who, members of the Jacobin Club one year, were on the bench of the melancholy Administration of the Gironde the year following. But these kind of historical allusions, if they were not perfectly wrought out, were worse than useless; and when the hon. Gentleman was speaking of the Jacobin Club, and voting in favour of military law, he should remember, that the power of the Jacobins commenced from the unfortunate charge of the dragoons of the Prince de Lambesc. He heard the hon. Gentleman speak; he heard the cheers with which he sat down; and when he contrasted the feeble and half-doubtful cry with which he was attended then, with those reiterated thrice-repeated plaudits he remembered on former occasions, he could not help applying to him the words he had addressed to his hon. friend, the member for Tipperary—"Your eloquence is unquestioned; we must believe that your conviction is strong; and the natural inference to draw is, that your cause is bad." Now there were many Gentlemen in this House, who would never vote for placing the great powers conferred by this Bill in the hands of any but the hon. Gentlemen at present in office; nor would they now consent to pass these measures of coercion if they were not to be accompanied by measures of conciliation. He would not quote what had been perpetually repeated on this subject—namely, that the character of individuals, however exalted and excellent that character might be, ought never to be an argument for confiding extraordinary power in their hands, the propriety of granting which must be decided by the character of men in general. He would not repeat this;

for he knew that persons who had thus reasoned respecting others, might not be able to look at the case in the same light when it affected themselves. He knew how susceptible high and generous natures were of reproach or suspicion. He could perfectly understand how likely a noble person was to say: "What, can you think that I, whose hair has grown grey in defending the liberties of my country, would throw dirt into the last dregs of my life, by any attempt to destroy those liberties? What, do you choose to charge me, who am at this moment labouring to appease and conciliate, as if I never brought forward any measures but to irritate and coerce?" That noble person's character was fully before the House. They did ample justice to him and to his intentions; but they had a solemn public duty to perform to their constituents, to their country, and to posterity; and when that noble person spoke of his being in office, and of the measures he meant to carry, they were compelled to ask him: "Was he certain to remain in office? Was he certain that his conciliatory measures would be carried?"

Sir *George Grey* said, that he trusted the House would indulge him for a few moments while he stated the reasons on which he should give his support to the present measure. It was with the greatest regret that he should give his support to this measure—a regret, not that it had been introduced, nor that it had been so introduced by the present Administration, who had justly acquired the confidence of the country by their attention to its best interests, but a regret occasioned by the paramount necessity for it which had been proved to exist. After he had heard the speech of the noble Lord who introduced the measure, and that of the right hon. Secretary, who had so forcibly and eloquently supported it, he felt that the blood shed in Ireland would rest on their heads, if they refused to strengthen the hands of the Government, or delay, even for the fortnight that was now asked, to pass the Bill. He denied, that he should support this Bill, as it was imputed to English Members, because it was a Bill to be applied to Ireland, about which they were reckless, but that they would not venture to support such a Bill for England. He did not regard Ireland as a province, but as an integral part of the Empire, and would deal with it under that feeling; and should the same paramount necessity for such a measure exist in England, he should be ready to vote for a similar measure. If he were not ready to do so, he should deserve the imputation which had been cast, as he believed, most improperly, upon English Members. When he said, that he should, under similar circumstances of paramount necessity, be ready to vote for a similar measure, did he wish it to be supposed possible that this Bill could ever be drawn into a precedent for a bill of the same kind with respect to England? Certainly not. He denied the possibility of such an event. He knew that he should never be called on to vote for such a measure for this country, and he could therefore easily make such a promise without the slightest fear of ever being called on to perform it. He knew that there were causes which produced these outrages in Ireland—that that country had long suffered under grievances of no common kind—no one was more ready than himself to admit this. Feeling convinced of this, and feeling convinced, at the same time, that these causes did not exist in either England or Scotland, and that such causes never would exist, he should say, at once, that no Minister would ever be justified in coming down to that House, and asking for such a measure as this for England or Scotland. If, however, such an event were possible, he should be guilty of gross injustice in voting for this Bill, if he were not ready on a similar occasion to vote for a Bill of the same kind for England. He should support the measure, because he thought that a part of the empire imperiously required it. So disastrous had been the outrages, that he believed them to be the result of a conspiracy; in the language of the preamble —"So deeply rooted against the rights of property and the administration of the law,"—a conspiracy that had made the law a by-word, rendering it a protection to the guilty instead of the innocent, which prevented the Government of the day from bringing the offenders to justice, and who made the offender himself the sole Executive and Legislature of the country, and the administrator of his own law, which he administered with a severity unparalleled in the history of past or present times. The facts which had been stated by the noble Lord, and by the right hon. Gentleman, had not been denied, [Yes they have, *from Mr. O'Connell and others.*] A general statement had indeed been made, that Ireland was not in such a condition as had been described; but the statements of the hon. Members who made that assertion were accompanied with accounts of a most aggravated state of things, which they attributed to what they called the accursed tithe-system. What was said last night by the hon. and learned member for Tipperary, but that all these disturbances were owing to the legislation of the Government, and to the measure introduced by the right hon. Gentleman, and that the state of Ireland was worse now than it had ever been? These statements were in themselves an admission of the truth of the facts disclosed by the speeches of the noble Lord and the right hon. Gentleman; and the question was, how this fearful state of things was to be remedied? He believed that it must be remedied by a measure like the present—that this measure must be adopted till the confidence of the people in that House was restored. That confidence had been destroyed in a great measure by the continued agitation that had been excited in Ireland. Far be it from him to impute motives, but he had a right to speak of tendencies, and he at once declared his belief, that whatever might be the motives of the speaker, the tendency of the speeches was to excite this dangerous agitation. It was not merely political nor predial agitation, but, according to the expression used by some hon. Members, agrarian ruffianism, that now existed. He would not say positively that the speeches he had mentioned had caused this, but he could not but remark that the two things existed together. If agitation was to be the remedy for the evils of Ireland, surely the hon. member for Dublin had had opportunity of applying the remedy to the full; and yet the evils still existed; nay, they were actually increased, and increased to a most alarming extent by its application. He repeated, that he did not wish to impute motives to the speakers, but he had a right to refer to the tendency of the speeches; and if he were inclined to go further, he thought he should be able to find ample justification for doing so. He should find it, not even in the speeches themselves, but in the explanation afterwards given. That explanation which had been drawn reluctantly—most reluctantly—from the hon. and learned member for Dublin, when he was dragged to that Table by the indignant cry of that House, who felt that their privileges were insulted if the report of that hon. and learned Member's speech was correct—that very explanation was a strong argument and confirmation of the inference furnished by the speech itself. What was that explanation? Was it, that the report was false—that it was a misrepresentation of what had been uttered? No such thing. But that what had been written might easily get into the paper—that the reporter was guiltless, and the hon. Member at once accounted for the report. The hon. Member admitted, that the reporter, hearing the words, and writing them as they had been written, occasioned him no surprise; for he knew that what he had said might be easily misunderstood. He admitted, indeed, that what he had then said, was not what he should have said in his cooler moments; but that he spoke under the warmth of feeling, that one thought followed another with great rapidity, and that his meaning might easily be mistaken. But were there no such mistakes made in Ireland? Were there no speeches made there under similar feelings? If so, why were they not, too, contradicted? Because he who uttered them could not at once be arraigned at that Table for their utterance. He had no doubt that if the speeches uttered in Ireland were to be examined, they would be found to tend to anything but the maintenance of the peace of the country, or encouragement to the people to place their confidence in that assembly of their Representatives. He was impelled to entertain this belief of the object and tendency of these speeches, when he recollected the time chosen for their utterance. When was it, that the subject of the Repeal of the Union was brought forward? It was the very time when it was known that the constitution of the House was to be changed. He certainly could not divine the thoughts that passed in the breast of the hon. and learned Member, or state when it was that he first found out, that Repeal was the specific, and the only specific, for the evils of Ireland; but he re-asserted, that the great agitation of the Repeal of the Union was since the Reform Bill had been introduced by the present Government, and that it had been scarcely heard of before. He was satisfied the Government was friendly to the people of Ireland, and that it was their anxious wish to grant a full redress of grievances. He was inclined to think, that people in general were of that opinion, with particular exceptions, when they had been roused to resistance by agitation and angry speeches. If it were necessary to point out instances, he had only to appeal to statements which had been made at some of the meetings in Kilkenny. The people then were told, that no redress would be given by the Government, and that it was therefore necessary for them to obtain redress by their own means. That agitation had now been going on for three years—it had every day been increasing in violence, and had now arrived at such a pitch that the law in that part of the country was no protection to the peaceable inhabitants. Confidence, he was convinced, still was reposed in a Reformed Government, and some additional measures were absolutely necessary to restrain evil-doers, and protect the peaceably-inclined. He could not conscientiously refuse Ministers some additional power for the putting down of existing outrages, and to allow time for the operation of the remedial measures. When he said, that he would give them some additional power, he did not mean, that he would give them all that was contained in the Bill. His mind revolted from that clause which related to Courts-martial; but nobody, excepting the member for Tipperary, had proposed a substitute, and his substitute was still more objectionable. The hon. and learned Member proposed, that Special Juries should be appointed to try the cases. To such a proposition, he never could agree, because he saw that, on account of the outrages, many of the Gentlemen in the county might be actuated by strong feelings, from the prejudices which they had imbibed. It was argued that officers would not do their duty conscientiously, because they might be tempted to deviate from it by offers of promotion. It was said, too, that they would be influenced in their decisions by Irish gentry, but he was convinced, that neither supposition was true; and every English officer would spurn with disdain any attempt to sway him from the rigid path of justice and of duty by the allurements of promotion, or the claims of friendship. He should with great reluctance see the ordinary course of law dispensed with—he should regret to see the duty of Jurors transferred to a military tribunal—but, on looking at all the circumstances of the case, he saw nothing but such an alternative. If any other efficient and good plan could be proposed, he would readily agree to it. At all events, he was willing the Bill should be read a first time; and he should not resist the third reading in its present shape, if no suggestion could be made, showing, that what was required was needless. Ministers undertook a fearful responsibility; but he believed they were aware of its extent, and were prepared to incur it. Of this he was sure, that they would not abuse their powers, and he hoped, that the effect of the mere passing of the law would be such that it would not be necessary to carry even its mildest provisions into execution. In the newspapers of this very day, he had seen some valuable evidence upon this point, at a meeting of the Magistrates of Waterford, in order to take measures to preserve the peace of the county in order that the Bill, when made law, might not be applied to them. He appealed to the report in the newspapers, and there he saw that the object of the meeting was, that the county of Waterford might be exempted from the operation of the measure. The Magistrates had done their duty, and they had obviously been awakened to a sense of that duty by the introduction of the Bill. On the subject of the application of the Bill, he earnestly hoped that it might not be wanted in the north of Ireland, although it was said that thousands of Irish were in arms there; but had the measure been extended only to the South, the hon. and learned member for Dublin might with some reason have accused Ministers of partiality. He earnestly hoped, and indeed confidently believed, that if it became necessary to act upon the Bill, the law would be fairly and equally administered.

Mr. *Harvey* considered the admission made by the hon. Baronet who had just addressed the House in such a creditable tone of candour and artless ingenuity, to be well worthy of consideration. He was convinced of the sincerity of the hon. Baronet, who had poured forth the honest impressions of his mind, fearless of the chastisement of practised oratory or of the refutation of subtle reasoning. The hon. Baronet, while admitting that the present Bill, though applying only to Ireland, was an experiment for England, said, that if the same circumstances which justified its adoption in Ireland should occur in this country, he would be as willing to support its application here. Now, this was the very thing that the opponents of the Bill in England apprehended. They dreaded that the experiment having been tried and found to succeed in Ireland, it would not be long till it was also tried here. And what, after all, did the case adduced by the noble Lord in favour of its adoption amount to? He did not mean to imply a doubt of the truth of the noble Lord's case, or of the sincerity of his inferences, but he would confidently maintain, that the noble Lord had quoted no case of atrocity or outrage in Ireland which had not been exceeded in England, not only in quality, but in number. Had they heard of any city in Ireland which had been the scene of such acts of pillage and incendiarism as the city of Bristol? What castle in Ireland had been consumed by the fires of rebellion like those of Nottingham? What scenes of "agrarian ruffianism" in Ireland equalled those in Hampshire, which had been the subject of a Special Commission, and which had called down the severest punishment of the law? Exaggerate the cases of outrage in Ireland as they would, they were far distanced in atrocity and number by those which had not long since occurred in England, and for which no man ventured to propose extraordinary measures of coercion. But it was idle to diguise the fact; the Bill was not aimed at the outrages of Ireland, but at one man, whom Ministers found a thorn in their sides, and whom it was easier to tyrannically oppress than conquer in open argument—a man who had done much for his country, and to the exertion of whose unrivalled talents the very Ministers who were now endeavouring to crush him were eminently indebted for their present position—the hon. and learned member for Dublin. Nothing had struck him so much in the whole course of the debate as the total forgetfulness of the enormous debt of gratitude on the part of Ministers to that hon. and learned Member. His speeches might not always be characterised by the soundest wisdom or discretion; but recollecting the course he had so long pursued, the title of the Bill upon the Table ought rather to have been, "A Bill to put down the patriotic efforts of the member for Dublin." This recognition of his importance was due from those who were so deeply indebted to him; for the Roman Catholic claims would not to this day have been conceded but for the exertion of his talents—the Whigs had long been entangled in the difficulties of the subject, and he had at last removed the stumbling-block to their re-admission into office. And yet, in order to prevent this man, to whom they and his country and the empire were so much indebted, from continuing his exertions for the removal of the grievances of Ireland, they were content to prostrate in the dust that Constitution which was the boast of Englishmen, and the subject of the panegyric and eloquent envy of all foreigners. He repeated, the Bill should be entitled, "An Act to prevent Mr. O'Connell from continuing his patriotic efforts for his country," and not a Bill to prevent outrages. It was particularly aimed at crushing of agitation upon the question of a Repeal of the Union. He would maintain that it was not only the right, but the duty of every man in either country, who conscientiously believed that a Repeal of the Union would benefit either England or Ireland, openly to express his opinions, and advocate the Repeal of that law as he would the Repeal of a Turnpike Bill. If the Union could not be maintained upon its merits—if it were not sanctified by its Utility, it ought to be abrogated. Were they afraid to meet the advocates of that measure, that they thus suppressed all discussion of it with the iron hand of the law, and not only suppressed the discussion of it, but proposed to suppress all public meetings whatever in Ireland? Were hon. Members aware of what they were doing? Did they deceive themselves, that while despotism might to-day be perpetrated towards Ireland, it might not to-morrow be extended here? He was confident that, if this Bill passed into a law, before twelve months—if the present Administration remained in office—a similar experiment would be made to put down public meetings in England. If Ministers were true to their own principles, it must be so; for what was their avowed object? To put down agitation and public meetings in Ireland. [*No*]. He said yes; for the Bill would effectually put down all meetings in Ireland held for the purpose of discussing national grievances, unless previously sanctioned by the Lord Lieutenant. That functionary being, then, vested with the power of suppressing all meetings which he might not happen to approve, it followed that the people would be debarred of all means of petitioning even the Legislature for a redress of their grievances, unless the Lord Lieutenant also considered them grievances. Ministers greatly deceived themselves if they supposed, that the people of England would look on, cool approvers of such a despotic proceeding. If the people did not urgently press them, in reference to their past or future measures, they deceived themselves in attributing their silence to apathy or approval. The people were jealously watchful of their proceedings. Could the Ministers think they were upon a bed of roses? He meant as to the expectations of the country. When Reform ended, expectation began, and he believed that the people at this time had strong confidence in the deliberations and decisions of the House of Commons—that it was, in fact, the mirror of the public mind; and he believed it would be difficult at this time to get up a county meeting upon almost any subject, since it would be urged that it was needless to interfere with a House of Commons that could be trusted, or to impede a Ministry that had only in view the general welfare of the empire. If, however, the people found the Ministers hastily sanctioning a measure like the present, fraught with the worst ills of the worst despotism of the worst times of corrupt Parliament—Martial Law—on such silky representations as those of the noble Lord and his colleagues, they would withdraw their confidence, and assume another attitude. They would not permit their Irish fellow-subjects, with whom, in spite of all insidious attempts to excite local prejudices and national antipathies, they felt themselves connected by ties of the strongest sympathy, to be trampled under foot by men who hitherto had been the loudest in shouting for popular liberty. And then mark the consequence: if the English should deem it proper to meet for the purpose of discussing the expediency of a Repeal of the Legislative Union, would Ministers bring in a bill to suppress such meetings? And if not, would they permit in England what they put down in Ireland with the strong arm of the law—law, did he say? No, by means unknown to the British Constitution. Ministers had declared that they would stand or fall by the measure, that on it they staked their character as men, as statesmen, and as Ministers. Their declaration had been regretted by the hon. opener of that night's debate, but, as he thought, most unwarrantably. He conceived it did them honour, and that every Administration was bound to stake its official existence on measures of decided policy like the present. But how would the people feel in reference to the declaration? No doubt Ministers had deserved well since their accession to office: they all remembered the sacrifice of individual views and opinions which had been made by reformers in general in order to secure the Ministers in their places. But this could not always continue: a more pernicious doctrine could not be inculcated than that a great and intelligent people only possessed one set of men fitted to preside over its affairs. Ministers very much mistook their position in the country—very much overrated their own merits, if they, for a moment, persuaded themselves, as the cast of their declarations would imply, that if they threw up office, every thing in the empire would be thrown into confusion—that it would be a great political chaos—that Ireland, having severed the cable which bound it to the mother-country, the two islands would henceforth float on the mighty waters, unpitied and unknown! There would be little difficulty in providing a Ministry not inferior in all the requisites of statesmen: half the Political Unions throughout the country could send forth men at least their equals in knowledge and eloquence. The time was when Government was a mystery; now it was generally understood to be a very simple thing—the promoting the happiness of the greatest number at the least expense, and by the simplest means. The people of England made utility the test of laws; and so far as they stood the test, and no further, they yielded them a willing obedience. No institutions could stand ten years in this country, unless recommended by utility. By this all their institutions would be tested—the monarchy itself—their hereditary distinctions, and the appanages with which both were surrounded, would not escape the trial. If they stood the test, they would only be strengthened by the trial; if they fell, it would be only from their own weakness, and, on their ruin would be raised a simpler and a purer system. He, therefore, had little concern as to the men who might succeed to power; indeed, he had no apprehension of even a Tory Administration. If they persisted in measures like the present, they would find that the words of the right hon. member for Westminster might prove too true—that they would find that the only chance they would have of escaping what that right hon. Gentleman called an "uncomfortable position" would be their being released from it by the justly-roused suspicion, if not indignation of the people. They would find, when it might be too late, that a Whig was not much more than a Tory in the eyes of the people, save as their merits—indeed, it was his conscientious belief that one of the happiest events that could happen to this country would be a Tory Government, corrected by, and acting under a due recollection of its former errors. He was not one who questioned the purity of the motives of others, yet he could not help expressing a belief that if the present Ministers were in their old seats on the "opposite-benches," and that the present measure had been proposed by a Tory Government, recommended by a meagre statement in which some thirteen outrages were spread over fourteen months, that the Speaker would be puzzled to distinguish who "first caught his eye" in the file of Whigs that would rise in arms against it. One after one they would ring the changes on the principles on which their progenitors had called the House of Brunswick to the Throne, on the constitutional rights of the subject, and much would be said about their great ancestors, the Russells, the Hampdens, and the Somers's, and the Tories would be denounced as traitors eager to immolate the liberties of the country. If the measure now proposed were, as its supporters alleged, a mere means of protecting the unprotected in Ireland, he would support it; but as it was a concentration of conspiracies against the people of that country, he would offer it every opposition in his power. No men uncradled in despotism, and not the blindest devotees to despotism, could have proposed such a monstrous measure—a measure, of which one clause alone was a suspension of the *Habeas Corpus* Act; another, the establishing Courts-martial; a third, made the entire rights and liberties of a whole nation depend on the arbitrary nod of one man; another was a great trumpet proclamation, whose echo would be the blast of death; while, as a finale, another crushed the liberty of the press, and the right of petitioning for redress of grievances—a measure without parallel in the annals of despotism, be it Whig or Tory. Who was the Attorney General that concocted that atrocious measure? Indeed, he was sure no single man could have framed it, and that its sapient author must have sought counsel in the lowest depths of hell to aid him in his infernal purpose. They had heard great authorities cited in the course of the present debate, with a view to reconcile them to the outrageous suspension of the Constitution. He would quote the words of a man, the latchet of whose shoes his successors were not worthy to unloose—Lord Chatham. The words were quoted with great felicity by Mr. Erskine, in opposition to Mr. Pitt's Seditious Meetings Bill, in 1795:—'" If we mean seriously to unite the nation within itself, we must convince 'them that their complaints are regarded, 'and that their grievances shall be re'dressed. On that foundation I would 'take the lead in recommending peace 'and harmony to the people. On any 'other, I would never wish to see them 'united again. If the breach in the Con'stitution be effectually repaired, the 'people will, of themselves, return to a 'state of tranquillity; if not, may discord 'prevail for ever! I know to what point 'this doctrine and this language will 'appear directed; but I feel the princi'ples of an Englishman, and I utter them 'without apprehension or reserve. The 'crisis is indeed alarming, so much the 'more does it require a prudent relaxation 'on the part of Government. If the 'King's servants will not permit a constitu'tional question to be decided on, accord'ing to the forms, and on the principles 'of the Constitution, it must then be de'cided in some other manner; and, 'rather than it should be given up, rather 'than the nation should surrender their 'birthright to a despotic minister, I hope, 'my Lords, old as I am, I shall see the 'question brought to issue, and fairly 'tried between the people and the Go'vernment." With the sanction of the 'sentiments of the venerable and illustri'ous Earl of Chatham, he would maintain 'that the people of England should de'fend their rights, if necessary, by the 'last extremity to which free men could 'resort. "For my own part," said Mr. 'Erskine, "I shall never cease to struggle 'in support of liberty. In no situation 'will I desert the cause. I was born a 'free man, and, by God, I will never die a 'slave.'"* This, then, was the Bill, by which the Government endeavoured to conciliate those who gave them suspicious counsel. This was the offering which they tendered to their enemies, and this the proof of their desertion of the people who were to be told that, in the hereditary council of the nation, they would find their most determined foes. But it was said, that though a vast quantity of eloquent invective had been poured forth against this measure, nobody had ventured to suggest any other means by which Ireland might be tranquillized. He was ready to express his acknowledgment of the calm and temperate manner in which this subject had been introduced to the House by the noble Lord opposite; and he regretted that the noble Lord's example had not been copied by all who followed him on the other side. But he asked the House, were they to be hurried into the adoption of measures of infatuation by mere appeals to their passions, and violent attacks on some political rival, which were entirely unworthy of the great talents so perverted? He apprehended, indeed, that the present measure might be attributed to a species of pride, of which they had had of late no slight exhibition in that House. But, instead of giving way to such a feeling, he thought that those who composed the Irish Government would have acted a more noble part, if they had shown themselves less accessible to popular prejudices. He believed, that if his Majesty had been advised to send to Ireland the Duke of Sussex, bearing in his hand the scroll of a charter, in which Ireland was to participate in common with England, and by which the two countries would be united, not only in name, but in deed; and if, at the same time, the Chancellor of the Exchequer had unfolded his latent benefits for that country, there would not then have been the smallest necessity for the present measure. They were told that it was to be accompanied by measures of amelioration. Of coercion they were certain; but were they so certain of the redress of acknowledged grievances? Why did not the two measures run together from the other House to this? When Ministers had made up their minds to throw the odium of this Bill on the House of Lords, why did they not try to mitigate it in some degree by allowing their Lordships to be the originators of healing measures? Why was not the Church Reform Bill introduced by some occupant of the holy seat in the other House? That would, indeed, have been a soothing measure, and a sign of "good things to come." That, indeed, would have been a text from which they might have long discoursed, and would have had a better effect on the moral feelings of the community than many sermons. The conciliatory measures, however, had not yet been introduced into the House of Lords, and his Majesty's Ministers might yet have to come down with—"We intended to bring forward most beneficial measures—no Government could have intended it more sincerely; but we were unpopular in the House of Lords, and suspected by the people, and we could not carry our measures. We could not touch the revenues of the Church—in that we were defeated; but we have the satisfaction of thinking that we have secured the property of the Clergy in Ireland, and collaterally in England, for we have so bound up the people in a system of legislative tyranny, that they can neither read, nor write, nor speak, nor do anything hereafter to shake off the burthen of tithes." It was said elsewhere, by a noble Lord, that they could not expect allegiance, unless they gave protection. That had been so often said, that it had become an aphorism. Let them apply it to Ireland. How did they give protection to the people of that country. Could the House fancy that, even in the most savage country, there existed such a mass of unprotected beings as were now starving on the soil of Ireland? The Irish people had no protection. You give them the right of sepulture—and leave them to mourn over each other's graves—and you dole out your charity to their distressed children; but this was not protection. Every human being who breathed had a right to subsistence from the country which gave him birth, in return for which he must give his labour. The Irish were willing to labour; but where was the fund out of which that starving, but loyal population might claim to be supported? There were many, however, in that House, as well as out of it, who, though they admitted the principle of support being due to all the people, as applicable to this country, were not willing to apply it to Ireland. He knew the language commonly held out of doors on this subject. It was said: "Those Irish really must be treated in a manner different from other people; they have been for 700 years, a wandering, discontented race—ever ready for a fight, and have something so convulsive in their natures, that if you do not keep them down by severe enactments, they will be constantly in a state of agitation and disturbance." That was the language applied commonly out of doors to the people of Ireland. As an Englishman, however, he asserted that it was a foul libel on the people of that country. It was language that they dare not apply in the hour of peril, when the people of Ireland were their pride and their safety. Trace them in any situation. In mental exertions did the natives of any other country leave them behind? At the post of danger were they not foremost? There was no labour from which they shrank—there was no danger which they shunned—there was no difficulty which they avoided—there was no allegiance which they denied; and they only resisted when the laws of nature compelled them to do so. What would the people of this country be, if it were not for the 7,000,000*l.* or 8,000,000*l.* distributed every year amongst them under the name of Poor-rates? He was not now about to enter into a discussion on the principle of the Poor-laws; but he asserted it as an incontrovertible principle, that every man who held property, held it on the condition that the people should be fed. It was very well for those noble Lords and right hon. Gentlemen who had such mighty incomes, that it put an ordinary man's arithmetic to the test to calculate them—it was very well, he said, for such persons to talk of their estates and their fortunes; but they were only the trustees of the people; and unless the people were able to support themselves by their own industry, they must come, and would be entitled to come, to the properties of these noble Lords and right hon. Gentlemen. If, by any chance, or under any circumstances, the people could not be employed, he only asked were they to starve? He might be asked, after what he had said, whether he would introduce Poor-laws into Ireland? His answer was decidedly, he would. It was a maxim which, in the face of so many lawyers as sat opposite to him, he should not presume to controvert, that the King could command the allegiance of his subjects. The present Bill was an illustration how that rule might be applied. It was said, that every man's house was his castle. They were now about to sanction a Bill which would turn every man's cottage into a gaol. If they drove the poor man into his cottage, why not drive the rich man into his castle? Was it even-handed justice that the rich landed proprietor should be allowed to revel in luxury from the labours of those who, after their toil, were not permitted to quit their wretched abodes to breathe the air of heaven, or enjoy the beauties of nature? As the Irish peasant was not to be permitted to pass the threshold of his cottage, why not compel the wealthy Irish landed proprietor to return to his home? He felt, that he was trespassing too long on the attention of the House; but he could not sit down without quoting the opinion of that great and enlightened statesman, Mr. Fox, upon a measure which did not contain a tithe of the barbarous enactments contained in the Bill now under consideration. Speaking of Mr. Pitt's "Sedition Bill," Mr. Fox said, 'Nothing was more 'clear than that the House of Commons 'ought never to proceed upon any mea'sure that might trespass upon the rights 'of the people, without evidence that was 'decisive, even in cases of extreme neces'sity. He declared, that he would never 'attend to the detail of a measure, which, 'in its essence, was so detestable. Good 'God Almighty (continued Mr. Fox) is it 'possible that the feelings of the people of 'this country should be so insulted; is it 'possible to make the people of this country 'believe that this plan is not a total annihila'tion of their liberty? I do hope that this 'Bill will produce an alarm;—that while 'we have the power of assembling, the 'people will assemble; that while they 'have the power, they will not surrender 'it; but come forward and state their 'abhorrence of this proceeding; and those 'who do not, I pronounce to be traitors 'to their country. Good God, Sir, what 'madness, what phrenzy, has overtaken 'the authors of this measure?' A question which he would leave Mr. Fox's successors and political admirers on the Treasury Bench to answer. As for himself, having thus strongly expressed his uncompromising hostility to the principles of this atrocious Bill, he would not descend to take any part in its details. For one, he would enter into no treaty with tyranny.

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* Hansard, (parl. hist.) xxxii. p. 313

Lord *John Russell* said, on the last occasion when he spoke, after the hon. and learned Gentleman, he had complimented him on the candour with which he had avowed his opinions. He had to pay the learned Gentleman a like compliment on the present occasion. Notions and doctrines of a more extravagant nature were never advanced in this House, and if acted upon to their full extent, they would lead to the destruction of all property, to the revolution of all society, and to the annihilation of all order in the community. He confessed, that the measure before the House was alarming and arbitrary in its nature, and that it could not be adopted without pain by any one who had imbibed a reverence for free institutions. He deeply regretted, that it had been imposed on Ministers by a stern necessity; but being convinced of the existence of that necessity, they would not shrink from performing their duty, though it was the most unpleasant which could be imposed on them. He had resolved to address himself to this awful and solemn subject with calmness and temper; but he owned that the hon. and learned Gentleman's speech had almost shaken him from his determination. He could not believe his ears when he heard his right hon. friend's statement, which made so great an impression on the House, not less from the horrible detail which it gave of atrocious crimes, than from the eloquence and ability with which they were described, characterized as a "silky representation." Was it possible that the hon. and learned Gentleman had called the manifold murders and outrages which were unfortunately so frequent in Ireland, only thirteen cases of irregularity in Ireland? What, when men at their toil had been stoned in the fields—when women were cruelly butchered in their houses—when children, even innocent children, were beaten and murdered by ruffians—were they to be told, that such deeds were only "irregularities?" The hon. and learned Member knew how to garble a statement with colours borrowed from that Bill of which he spoke, and had dismissed the long list of outrages with the appropriate title, no doubt, of "thirteen cases of irregularity in Ireland." Before he proceeded further, he would make one or two observations on the Amendment moved by his right hon. friend, the member for Lambeth, to adjourn the first reading of this Bill for a fortnight. In his opinion, it would be more in accordance with the character of legislators, and more consistent with their dignity, to apply themselves boldly to the present measure if it were requisite; or if it were not requisite, at once to put a direct negative on it. His right hon. friend (Mr. Tennyson) had said, that this was not a question on which the Ministers ought to stake the tenure of their offices. On this point he entirely differed from his right hon. friend. If the Ministers thought, that they could not give protection to property—that the force of Government was insufficient to secure the lives and property of the King's loyal subjects, and called upon Parliament to strengthen their hands by further powers, he could not conceive a more degraded situation than they would stand in, if after making that proposition, and after it should have been rejected by Parliament, they still remained in office. They brought forward measures which they considered necessary to enable them to carry on the Government, and Parliament was to decide between three things—whether they would allow the Government of Ireland to be in the hands of the midnight legislators, the Whitefeet—or in those of an individual, wielding the democracy of Ireland at his command—or whether they would assert and maintain it to be in the Crown, and in the Parliament of a united people? The hon. and learned Gentleman (Mr. Harvey) had prophesied that Ministers would fail in their attempt to carry the present Bill, and that a new Administration must be formed. The hon. and learned Member added, that he thought a Tory Government, corrected of its former errors, would be the best Government. He should not envy them their situation, supported as they would be by Gentlemen, who thought, that the present Administration did not go far enough in the way of Reform. A Tory Government would find it a very difficult matter, in the present temper of the country, to carry on the affairs of the nation, and at the same time give satisfaction to those Gentlemen. He would be ready to give them, as far as he consistently could, his support; and though they might be obliged, as in former times, to propose a coercive measure for Ireland, perhaps the hon. and learned Member (Mr. Harvey) would not be so disposed to find fault with them, if, having a clearer perception of his merits than the present Administration, they should have appointed him to some lucrative post. He thought it extremely probable that such a Government might reckon on the support of the hon. and learned Gentleman, even in a measure of coercion, though the present Government were not fortunate enough to obtain it. He had been diverted from what he had intended to say upon the Bill itself, and he should, therefore, be compelled to trespass longer upon the attention of the House than he had originally contemplated. He should commence by referring to the state of Ireland in the year 1828, for when Gentlemen spoke, as some Gentlemen had spoken in the course of this debate, of the impolicy and injustice of legislating against an individual, it was necessary, for the sake of those who did not bear it in their recollection, to refer to the history of the state of Ireland for the few last years. The question of the Roman Catholic claims was, as everybody knew, for a long series of years, a matter of serious and violent dispute, both in Parliament and in the country. Whilst one side of the House gave to those claims constant support, the Gentlemen who sat on the Ministerial side of it were divided upon the policy to be pursued regarding them; and the personal influence of the Crown was generally employed in creating and maintaining that division of opinion. The effect of the great measure of Catholic relief being so long delayed was, that there came at last a period at which one individual was enabled to appeal, and to appeal with success, to the passions of the people of Ireland. The influence which that individual acquired by that appeal was exercised in a manner which constituted a case the most extraordinary that ever occurred in the history of any country. For many months an association held its sittings in Dublin, which organized branch associations, interfered in trials, directed public opinion, and all but governed the country. What was the consequence? At the end of that time, when Parliament re-assembled for the performance of public business, the Ministers, who brought forward the question of Catholic Emancipation, thought it necessary to bring forward a bill to put down the Catholic Association, and to arm the Lord Lieutenant with power to prohibit such associations in future. But that extraordinary power which had been acquired by one individual, and which had been held by him in consequence of the delay which took place in granting those claims, which ought to have been conceded years before, was not destroyed or done away with by that bill. It was owing, he would say, to the good feeling of the people of Ireland that, out of gratitude to that individual for his exertions, they blindly did all that he recommended, and supported all the measures which he occasionally brought forward. He did not mean to say, whether it were from unwillingness to part with power, or from a desire to gain some greater object, or from the purer motives of patriotism, that that individual continued to recommend to his countrymen agitation for certain purposes; but he did mean to say, that the individual in question, the hon. member for Dublin, had not the same success in his second career of agitation that he had in his first. During the first agitation this extraordinary case happened, that while the people were excited to the utmost, the public peace was preserved; and, as the hon. and learned Gentleman opposite had said, the perpetration of outrages was prevented by the existence of the Catholic Association. But when the second agitation commenced, the result was not similar; on the contrary, wherever agitation was tried, outrages commenced of the most violent and detestable kind—outrages, which for a time the law was able to suppress, but which in the end overcame the law, and prostrated it at the feet of a ruthless and sanguinary rabble. It was in evidence before the Committee on the state of Ireland, that in many places where this agitation prevailed, the Whitefeet were the same persons who attended the tithe meetings. They were ready to accept of agitation for one purpose—namely, to get rid of the tithe system—but they were also prepared to remedy their own grievances, which went beyond the tithe system, and extended in many cases to the ejection of persons from lands which they thought other parties were better entitled to hold. His right hon. friend near him had stated, on a former night, that of 150 outrages of this kind, not one had been tried. He remembered, that in the month of December last, there had been scarcely one case of outrage committed connected with tithe, but many outrages of a different character. Yesterday he had received a letter, stating that on the night of the 18th of February, six or eight violent outrages had been perpetrated—all for the purpose of compelling persons to surrender land. They were told, however, that this was not political agitation: nevertheless, it had been set on foot by those whom political agitation had first moved—by men who, having been told that the best mode of obtaining a redress of grievances was to make resistance where resistance was legally due, thought right to make resistance in other cases where it was not legal, by the commission of nocturnal outrages, robberies, and murders. Such being the state of the country, and his noble friend, and his right hon. friend near him having entered into many details to illustrate it, the question was, how could they remedy such great evils? Could the House permit such outrages to continue? The hon. and learned member for Tipperary was anxious, on grounds of humanity, that the Courts to be established under this Bill should not have the power of whipping. He gave the hon. and learned Gentleman full credit for his humanity; but was the House to have no humanity for those who were daily and nightly tortured by apprehensions of impending danger? Were they to reserve all their compassion for the authors, and not to retain any for the victims of these organized outrages? He now came to the consideration of the Bill which his Majesty's Government had introduced for the remedy of these disorders. It was unfair to state, that this Bill put down all meetings held in Ireland with the intention of petitioning the Legislature. It did no such thing; it merely gave the Lord Lieutenant the power of stopping such meetings, if he deemed it expedient, in counties or districts which he had proclaimed as disturbed. The clause of the Act which referred to this point referred to the disturbed districts only; and he might say generally, that it was only intended to prevent those meetings which were likely to be dangerous to the peace, and to stop the progress of those evils which had now risen to so unfortunate a height. There were two provisions of the Bill which had met with serious objections. One of them was that clause which referred the trial of those offences to a military court, not establishing Martial Law, but giving the trial of offences at Common Law to a military tribunal. With regard to that clause, the proper point to be considered was this—"In what other hands can you better place this jurisdiction?" He had heard many suggestions in lieu of these military tribunals, and none better than this—that you should place this jurisdiction in the hands of a King's Counsel, and a Special Jury consisting of the gentry of the county. He agreed with his hon. and learned friend, the member for Leeds, in saying, that when it was necessary to deviate from the Constitution, he would rather have a measure totally unlike, than a measure something like the Constitution. He confessed, that to him it appeared to be the most dangerous thing in the world to have the shadow of a free Constitution, and to lose the substance. He would briefly explain what he meant by that assertion. If, in an Unreformed Parliament, it had pleased the House of Commons to say, that thirty or forty individuals should have the right of naming all the Members who were to sit within it, and that that right should be saleable in the market, there would have been no difficulty in showing that such an open mockery of representation was a violation of the Constitution, and must be altered. It was because individuals who only represented themselves came into that House as the Representatives of the people that the abuse became dangerous—that it increased to such a formidable height, and that it lasted so long, in spite of all the opposition which it had to encounter. Now, what was proposed instead of these military tribunals? That the Judge should not be taken from the ordinary Judges of the land, but should be taken from the King's Counsel or Serjeants, who were Judges in expectancy, and that the Jury should not be chosen from the common panel, but from the list of Special Jurors,—that is, you would establish a Judge without independence, and a Jury without impartiality. That would be a shadow without a substance. For his part, he thought it much safer to have a tribunal completely different—and totally separate—from the ordinary civil tribunals of the country; because if the tribunal vested with these arbitrary powers, at the same time had the name of a Judge and of a Jury connected with it,—there might be an inducement to perpetuate the system, and to deprive Ireland of free institutions altogether. He would rather have a coercive measure that was unlike, than a coercive measure that was like the Constitution. He said the same with regard to the *Habeas Corpus* Act. If those who had first proposed the suspension of it had attempted to fritter away that suspension, by limitations and mitigated modifications of it, we might not now be enjoying its benefits. It was because they suspended it altogether that the *Habeas Corpus* Act was now subsisting in all its power. It was because they gave the King power to the full extent to dispense with that Act, that we could now boast of its giving us at present not only the name but also the reality of freedom. For that reason he preferred the military tribunal to one nearer the common forms of the Constitution. Deeply should he lament to see the Judges of the land, or those who were likely to fill that high station, employed to try offenders without the assistance of a Jury. Nothing was better calculated to corrupt the minds of men than the accustoming them to have recourse to extraordinary powers. Military men were in the habit of deciding without the intervention of a Jury; but if they placed judicial characters, and those who were almost as much engaged in judicial proceedings as the Judges themselves—he meant members of the Bar — in the situation of military men, who could say, that those learned individuals would not get enamoured of their extraordinary powers and say, that trial without Juries was necessary for the ordinary administration of justice in Ireland? He was afraid that, owing to the provision that no officer should sit upon these Courts-martial who was not of full age, and of two years' standing in the army, a false impression had been made upon the public mind respecting these Courts-martial. It appeared to be a general notion that these Courts-martial would be composed of nothing else than young officers, who had just attained their twenty-first year. This was about as erroneous as to suppose, that because there was an Act of Parliament declaring that no man should sit in that House for any borough who was not twenty-one years of age, and in possession of a qualification of 300*l.* a-year, that House did not contain among its Members a single individual who was more than twenty-one years old, or who possessed more than 300*l.* a-year. He saw no reason why there should be any limitation as to the number of years during which the officer had served; he thought that if the officer were twenty-one years of age, it was enough, for a civilian at twenty-one was capable of serving upon Juries; and he believed, that the education of a young officer, from his station in life, was likely to be quite as vigilantly looked after, as that of any ordinary Juryman who was called on to decide matters of life and death. Another provision of the Bill, which had raised considerable objection, was that which gave the right of visiting and searching the houses of suspected persons. He felt this objection as strongly as any man, but its force was overcome by the fact that every gentleman who was either a native of Ireland, or connected with Ireland by property, thought that this provision was absolutely necessary. Whilst upon this point, he would ask the House to remember what was the provision contemplated by the Committee which reported last year on the state of Ireland. The hon. and learned member for Tipperary had told the House, that the Committee had not recommended the suspension of the *Habeas Corpus* Act; but he had forgot to tell them, that they recommended the adoption of a measure by which, if a person was found absent from his home more than once, he should be held to bail for his good behaviour, and, in default of bail, should be liable to imprisonment. There was no need of a Jury to have him held to bail, and yet, if he refused to find bail, he must be committed to prison. These were the words of the Report:—"The warrant to be executed always in the presence of a Magistrate, and the persons who may be absent from their houses to be summoned by the Court of Sessions, and if unable to give a satisfactory explanation to the Court of the cause of their being absent, a record to be made of the conviction of their absence; those persons who shall be found absent a second time to give bail for their good behaviour for twelve months, and, in default of doing so, to be committed to the county gaol for one month." He said therefore, most decidedly, that the opinion of the Committee was, that a person should be liable to punishment, without the intervention of a Jury, if he were twice absent by night from his home. The hon. and learned Gentleman had told the House, that the Lord Chief Justice of Ireland had stated, in his charge to the Grand Jury of the Queen's County, that the present law was sufficient for the repression of these outrages; but he had not told the House that the Committee did not agree with the Lord Chief Justice on that point, but were of opinion that other provisions were necessary. Now, an extraordinary case must have been made out before the Committee, or the Members would not have violated the usual practice of Committees by making distinct proposals for the suppression of these outrages. The making of such proposals was almost invariably left by Committees to the Executive Government; but when we find a Committee, consisting chiefly of Members elected by popular constituencies, making such proposals at the very time when they were about to appeal again to their constituents, we must admit that the case must have been strong which had led them to so unusual a determination. The hon. and learned member for Tipperary had taunted him with inconsistency because he supported this measure now, after having opposed a similar measure some years ago; and the hon. and learned Gentleman who had just preceded him had said: "If such a law had been proposed by a Tory Administration, the Whigs would have risen in files to oppose it." He hoped that both the hon. Gentlemen would listen to the answer which he was going to give to this charge. In the year 1822, on the 7th of February, the Administration came forward and proposed the suspension of the *Habeas Corpus* Act, and the enactment of the Insurrection Act. They did so upon their own statement, and upon their own responsibility; they asked for no inquiry, they reverted to no Committee, but they introduced the Bill as the present Government had introduced this measure, upon the proper feeling, that such a measure should be introduced upon their single and undivided responsibility. There was a discussion on the measure on Thursday, the 7th of February; the Bill was then read a first time; very few persons divided against it; and he (Lord John Russell), feeling that the measure was necessary, did not come down to oppose it. When the debate was over, the late Lord Londonderry proposed that the second reading should take place that night, in order that the Bill might be committed and read a third time the next night, that it might then be sent in to the Lords on the Saturday, and after passing through all its stages in one night in that House, be sent off without delay to Ireland. It was not read a second and a third time that day; but, within a week, both measures were passed and sent to Ireland. Now, if the Administration of the day had met with the opposition that the hon. and learned Gentleman who last addressed the House had stated it had met, it could not have passed those Bills, for there were two of them, within the short space of a week. His opinion was—and he had always avowed it—his opinion was, that acts of this description rested for their justification on the necessity of the case. He believed, that if the hon. and learned member for Dublin were in full possession of power, he would not be slow in producing a measure to suppress these outrages. The hon. and learned Member had admitted that the greatest sufferers by these outrages were not Protestants but Catholics, and had said, that he was ready to agree to any law which would make it a misdemeanor for a man to be absent from his house at night. If such were the case, what became of this charge of inconsistency and desertion of principle, so confidently made against his right hon. colleagues and himself? The present was a case, in which every man must judge, according to his honest conviction, whether these laws were necessary or not. If they were not necessary, let them not be enacted; but if they were necessary, he called upon Gentlemen not to shrink from the duty which they owed to their country, but to pass them at once. Let them be assured that, whatever measures of concession, conciliation, or improvement might be necessary, that must be a great improvement which rendered life and property safe. Talk of men not obtaining employment! How could they expect to gain employment when the inland conveyance of goods on canals for the purposes of trade was interrupted in open daylight by bands of armed men traversing the country? From whom could employment come except from men in the possession of capital? And what capitalist would vest his capital in Ireland until he was certain that his property would not be destroyed, and his servants would not be murdered, in performing his business? If employment be wanted in Ireland, pass acts to give it to the people; but do not fancy that you are doing your duty towards Ireland by refusing your consent to a measure without which life and liberty would be left insecure, and made the sport of every miscreant or ruffian who may delight in blood. He was convinced that by subduing insurrection, while they maintained, as they ought, the authority of the laws and the dignity of the Crown, it would be confessed in the end, even by those who were averse to own it now, that they had been the best friends to the peace, the liberty, and the prosperity of Ireland.

Mr. *Henry Grattan* agreed with the noble Lord who had just sat down, that the Whitefeet ought to be put down, but differed from him in thinking that the Constitution ought not to be put down with them. They must stretch forth every arm to put down the Whitefeet, but they must also exert every nerve to keep up the Constitution. Of what use was the Constitution, handed down to us from our progenitors, and cemented by the blood of our most illustrious patriots, among whom the noble Lord's ancestors stood proudly preeminent—of what use, he asked, was that Constitution, if it could be destroyed by the agitation of a body of Whitefeet, who confined their ravages to four counties of Ireland? Could the noble Lord show him any case, occurring either in time of foreign invasion or of domestic rebellion, in which a tithe of the arbitrary power which it was now proposed to place in the hands of a single dictator, was ever before intrusted to the Executive Government? Did he suppose that 8,000,000 of Irishmen would calmly submit to have their rights spoliated by these Whitefeet, who might have been put down long since had the Aristocracy done their duty? He asserted, that the gentlemen of the Queen's County had abandoned their duty to their King and to their country. Punish them, if you like, for it; but do not, on account of their misconduct, take from the people of Ireland the right of petition; do not stifle the liberty of the Press, nor strangle the rights and privileges of every man in that kingdom. For his own part he would rather cut off his hand than give his assent to this atrocious and oppressive Bill. The right hon. Secretary had endeavoured to make out a case to justify the passing of this Bill; but in doing so he had been guilty of a dereliction of his duty. The right hon. Secretary had only stated half a case; for, in alluding to the murders of Marum, Potts, and Gregory, he had carefully kept out of sight the provocations which had led to those atrocities. Had the right hon. Gentleman read over the evidence taken before the Committee on the state of Ireland—a Committee from which he had so sedulously absented himself? Had he read the evidence given by Colonel Johnson, by Mr. Stapleton, by the agent of the Marquess of Lansdown, and by the Magistrates of the Queen's County generally? The right hon. Secretary could not have read that evidence, for, if he had read it, he would have found it to contain an account of the gross acts of tyranny which had been perpetrated on the peasantry during the last three years, and which had at length goaded them on, unfortunate victims, to the perpetration of these lamentable outrages. These witnesses stated, that Mr. Gregory had got possession of the property of these poor people; that he had not given them the benefit of the equity of redemption for six months, to which they were entitled; but that he had left them with their wives and families to die in the streets, as his hon. friend had stated, "unpitied and unknown." He had not even performed the common acts of justice to them, and Mr. Hovenden said, that he had not even paid them the wages which he owed them for their labour. Was it, then, to be wondered at that these uneducated men—uneducated owing to your own bad laws—should follow the example of injustice and oppression which you had set them? They had heard of the torture to which your aristocracy had subjected their ancestors; was it surprising that in their turn they had practised your inhumanity? One of the English Viceroys had been guilty of the grossest cruelties and injustice in that country, but in his case some justice had been done, for eventually his head rolled on the scaffold. Other governors followed his example of injustice without meeting his reward, and by their tyrannical and oppressive conduct drove the people to desperation. If the remembrance of ancient grievances, or the pressure of present wrong, should drive men to outrage, let those who perpetrated that outrage be punished: whatever might be the cause, he would not defend the outrage; let it be visited with the utmost severity, but let not all Ireland be punished for the acts of a few. In many instances in which Magistrates and others had been murdered, the crime did not proceed from any general disposition, but was almost in every case the result of a sense of individual oppression. Thus, in the evidence before the Committee of last year, it was proved that Mr. Hoskins, the agent to Lord Courtenay's estate, whose son was murdered in the county of Limerick, had been most oppressive in his conduct to the tenantry of that estate. The same account was given of the agent to Lord Stradbroke; and of Mr. Gregory it was said, that there never had been a worse man. In these instances a sense of personal injury would account for the outrages that had been perpetrated; but of all these the right hon. Secretary for Ireland had taken no notice. He went to the outrages committed by some lawless ruffians, and with these he would wish to mix up the great mass of the people of Ireland, who were wholly innocent. But had there not been outrages to as great an extent committed in England? Had not the gaols of the western counties been crowded with thousands accused of most violent outrages? Had not Nottingham and Bristol been the scene of the most lawless devastations? And had the Government resorted to the same coercive measures as the present? No. And why? Because the system of outrage was local and partial? Why, then, not apply the same principle to Ireland? If insurrection existed, he would not object to strengthen the hands of Government to put it down; but let them not have the power of putting the whole country out of the pale of the law, for the outrages of comparatively a few. In all the measures which had been introduced to put down disturbance in Ireland, from the year 1776 down to 1823, no Minister had ever followed a course of proceeding like that now proposed. The Minister of the day had either come down with resolutions declaratory of the state of disturbance, or laid evidence of it on the Table, or referred it to a Committee. At a time when disturbance proceeded to such a height that a battle was fought between the insurgents and the King's troops in Galway, and when thirteen men were killed, it was not deemed necessary to call for such measures as the present. What were the memorable words of the present Lord Brougham, the head and great light of the law? 'Nothing,' said he, 'short 'of complete redress of their wrongs can 'ever satisfy the people of Ireland. I 'will tell the House what will be worse 'than suffering those wrongs to be unredressed, and caution them against pursuing a course which can only prove an 'insult to their feelings. I will caution 'Government and this House to beware 'of attempting to stifle their complaints 'by anything in the shape of penal enactment. You may chain them by restrictive 'laws, they will break them as soon as 'attempted to be enforced — you may 'load them with galling fetters, you will 'only exasperate them — you will not— 'you cannot—break their spirit.' Since, then, the condition of Ireland had not been improved. It was vain for the English to talk of their liberty—vain to boast of the glorious examples of their ancestors — of their charters thirty times confirmed—for the breach of which they slew one King upon the scaffold, and drove another from their shores—it was vain to dilate on these things, when, in order to put down a miserable and insignificant body of Whitefeet, they were ready to pass a measure which would enslave the whole of Ireland. If Government took the proper steps, and obliged the Magistrates to do their duty in their respective counties, there would be no necessity for such measures as were now before the House. He thought that the true way to gain tranquillity in Ireland was by forcing the Magistrates to do their duty. He knew, from circumstances which came within his knowledge, that the Magistrates could do their duty if they chose, but that in many instances they refused to do so. He had letters that day from the counties of Meath, Cork, Kerry, Limerick, and Waterford, and Queen's County, all of which stated those counties to be in a state of complete tranquillity. He would read a passage from one letter, to show the system made use of in order to keep up the appearance of disturbance:—"The Police Reports which are made up for the Castle are highly pictured and exaggerated. They are made up by persons who have an interest in keeping up the disturbances. This county was never more tranquil than it is at present. There were only fifty-eight persons committed for trial at the Assizes (he would remind the House that this was out of a population of 200,000 souls), and one-half of those were out on bail." It was a fact, too, that wherever Special Commissions had been appointed to try parties engaged in outrages, they had on all occasions been found efficient; and the opinions of Judge Foster and Judge Torrens bore him out in the assertion, that Juries could be found to discharge their duties fairly. It was said, it was necessary to put down agitation, but who had caused agitation? He would say, that it had been encouraged, no doubt, in the way of friendly advice, by the noble Lord at the head of the Irish Government, who had used the emphatic words, "agitate," "agitate," "agitate." But the Bill was not to put down agitation or Whiteboyism, so much as to incarcerate the hon. and learned member for the city of Dublin. The right hon. Secretary had brought all his private animosities into that House. He had made the Chapel of St. Stephen's the theatre of angry passions, the arena wherein to fight personal quarrels. Was that what he saw in the years of his infancy? Did Mr. Ponsonby, did Mr. Perceval, did even Lord Castlereagh go so far as that? Mr. Perceval never made the House the scene of such angry feeling. In the worst of times neither he nor Lord Castlereagh attempted to enlist the angry feelings of the House on the side of legislation. Such conduct now could not tend to raise the House in the opinion of the people; and (which was quite as necessary) in their own estimation. The Bill was proposed as an instrument to procure, if possible, the incarceration of the hon. and learned member for Dublin; and that being its object, he predicted that it would signally fail. They had been told, that that hon. and learned Gentleman was the great—the prime agitator. Let every man stand or fall by his own acts. But when the right hon. Secretary talked of agitation, and of the necessity of putting down agitation, let them look for a moment, to the success which had attended attempts to suppress it in former times. Molyneux was denounced and persecuted as an agitator. By the order of the House of Commons his book was burned by the hands of the common hangman, but the day came, when Phœnix like, it rose from its ashes, and obtained a double influence over the minds of men. Talk of agitation! Dean Swift was an agitator, for Draper's letters were prosecuted. Lucas was an agitator—an agitator, of whom the Irish Parliament thought so much, that they banished him from the country. But the day came, when justice asserted herself—when the falsehood and ignorance of the placemen of the day (ignorance quite as great as that which distinguished the Government of the present day) was exhibited in its true colours: the principles of Mr. Lucas were established in 1782; he returned from his exile, and was elected, by acclamation, as the Representative, like the hon. and learned member, for the city of Dublin. Did the right hon. Secretary think that mere catch-words—idle ballads picked up among the mountains of Ireland—were to sway the minds of Members of this House? to overcome their reason, and to drive them into a kind of insanity of legislation? Talk of agitators! Why the late Mr. Grattan was an agitator—and if the plan of the Irish Volunteers had not succeeded he would have been arrested for high treason. The Earl of Bristol, Bishop of Derry, would have been arrested for the same cause if the Volunteers had not succeeded. The fact was afterwards stated by Lord Northington, who said, that he had at the time the warrants in his possession to arrest the Bishop and others if the success of the Volunteers had not prevented it. Look then to the past; see what the results of agitation have been; and then ask with what reason they could tell the Irish to agitate no more. From 1776 to the present hour all the good that Ireland had ever acquired had been obtained by agitation. What was its result in 1829. The Duke of Wellington stated, that no concession should be made to the Roman Catholics. Agitation took place; the Duke retracted; he retraced his steps, concession followed. Why, then, should they not agitate? Had they no grievances to complain of?—no relief to seek for? He threw the idle admonition to the winds; and said, that till Ireland were better governed, the Irish must agitate. Was the Government then prepared to call that treason or insurrection which had been suffered to pass with impunity in former cases? The attempt would fail in this case, as it had in the former; and in his conscience he believed that this measure, so far from conciliating or pacifying Ireland, would tend only to its separation from England. It would alienate the affections of the people from the Government of this country. He objected to the Bill in all its parts, but he strongly deprecated the injustice of that clause which was intended to prevent signals by fires or lights of any kind, and which put on the poor peasant the *onus* of proving, that his fire was not kindled for seditious purposes. The clause he alluded to was this:—

"Be it enacted, that from and after the passing of this Act, no person shall make, or aid, or assist in making, any light, fire, bonfire, flash, blaze, or other signal; or by smoke or firing, fireworks, firing of guns or other fire-arms, or by the blowing of horns, or by the ringing of church, chapel, or other bells; or by any other contrivance or device, give any notice, signal, or intimation to any person or persons engaged in illegal combinations or assemblies against the provisions of this Act; and that no person shall make or assist in making any such signals, or any other signals, to call persons to assemble together, or to act in concert together, for any purpose not warranted by law, or which is prohibited by this Act, or to assemble in any unusual numbers to endanger the public peace; and if any person shall, contrary to the Act, make any such signals or notice, such person shall be guilty of a misdemeanour and every such offence so committed in any district proclaimed in pursuance of the provisions of the Act, shall be cognizable by Court-martial; and if not committed in any such district, shall be tried and punished according to the course of the common law." The hon. member might laugh — so laughed the persons in 1776 to whom he had before drawn the attention of the House. Such levity added to the bitterness of the insult offered by this disgraceful clause to the feelings of the people of Ireland. The clause was hateful enough to be described in the poet's language—

> "Weave the warp and weave the woof,
> The winding-sheet of Edward's race;
> Give ample room and verge enough
> The characters of hell to trace."

Such were the true characteristics of this odious and fearful Act. But such an atrocious measure would fail, as it deserved to fail. Had they not the experience of the failure of former coercive measures to guide them? They had tried the Algerine Act, and it failed—they had tried the Insurrection Act, and it failed—they had tried Lord Clare's Convention Act, and it failed—and now when they had concocted the whole of these into one Act, did they think that they would make it more palatable, or more likely to be successful? The measure as it now stood in the Bill was not coercion, it was slavery, a slavery which the ancestors of the English Members of that House would not tolerate, and which he trusted those descendants of the present day would not sanction. The right hon. Secretary had been lavish of the terms "dictator" and "chief legislator" and other personal epithets which he had applied to his hon. and learned friend the member for Dublin, though the use of such terms tended only to irritate, and could produce no good in the discussion. The right hon. Gentleman, in the measures of which he was now the warm advocate, had not shown his fitness for the station which he occupied in the Government of that country. He feared that the right hon. Gentleman's trip across the Atlantic had not improved his taste for the institutions of our limited monarchy, and that therefore, as far as related to Ireland, he was disposed to get rid of them. Without any feeling of personal disrespect to the right hon. Gentleman, he must say, that he was not fit for the situation which he occupied in the Government. He was constantly getting his friends into scrapes, and daily making them, as far as the Irish Government was concerned, more and more unpopular. Indeed, to such extent did this feeling prevail, that at the late election in Ireland, it was a sort of popular dislike that a candidate was friendly to the Irish Government. Let him but proceed in the same course, and he would succeed in making the Government equally unpopular in this country. It was, he contended, absurd to talk of the agitation of the hon. and learned member for Dublin as the cause of any disturbance. The real cause was, the existence of the many grievances of which the people had to complain. This was proved by every event which had occurred for years. When the Roden declaration, as it was called, was signed in 1830, it laid (after declaring the subscribers to it opposed to a Repeal of the Union) great stress on the necessity of taking immediate steps for the remedy of the grievances of the people of Ireland. Three years had since elapsed, and what steps had been taken for that purpose? Hopes, it was true, had been held out that the grievances of Ireland would be redressed; how had those hopes been realized? What had become of the promises made by Lord Anglesey in answer to the deputation from the citizens of Cork, on his visit to that city. The deputation set forth the grievances under which the country groaned. What was the noble Lord's answer?—"The day" said he "will shortly arrive—it cannot be distant—it is impossible that it should—when, by the accomplishment of measures now in preparation for relief of the distress of the country, justice will be done to the good intentions of the Government of Ireland. The day will soon arrive when the people of Ireland shall see the measures now in progress to fit them for this change." Such were the hopes given to the people of Ireland; and how was the promise kept? Why, at the last election for Dublin, when Sir George Rich was opposed to the popular candidate, that gentleman was supported by the Government interest. He thus put the Government on their trial with respect to their sincerity. They had launched their poisoned arrows at the Irish Volunteers—they had accused that body as the cause of the existing disturbances, whereas they were to be traced to their own misgovernment. He had just mentioned a case indicative of their duplicity—a case which they never had the face to deny; and if they did deny it, he could prove its truth by an appeal to a speech delivered by the reverend Mr. Boyton. Such had been their extraordinary course of proceeding, that by their machinations, they had actually turned their own members out of the University of Dublin. Hon. Gentlemen had inveighed strongly against the Repeal of the Union. In answer to their observations he would say; "make it not a nominal, but a real Union." If not from their justice or from their sincerity, yet let the people of Ireland hope, that, from their sense of danger, the Union would be made a more effectual measure. He had never stood up for a Repeal of the Union, but if it were necessary, he felt that he had a right to argue that question. Why did not the Government, by their acts, show to the people of Ireland, that the Union was really beneficial? Why not show to every peasant that it was a desirable measure? The more the justice and the goodness of the Government appeared, the more would the people be inclined to believe that the Union was a salutary measure. He had received letters from Ireland, in which trade was described as being paralysed, in which the people were spoken of as shrinking with apprehension at the contemplated horrors of Martial-law. Why, he asked, was not the promise held out to Ireland, not only by Lord Castlereagh, but by the members of succeeding Governments, why was not that promise kept? The Union was pointed out as the only effectual remedy for the misfortunes of that country, because it would give the people of Ireland a participation in all the rights of the Constitution. Was this bill one of the roads by which they were to arrive at this so-much-desired participation? Mr. Pitt said, and he begged the attention of Mr. Pitt's followers to the words, Mr. Pitt said:—'We must now look to the Union as the 'only measure we can adopt which can 'calm this excitement, and allay animosity 'in Ireland. We must look to it as a 'measure which will give Ireland a participation in the Constitution of England. 'It is to be founded on similar law—it is 'to be founded on a similar Constitution '—it is to be founded on similar Government, by providing for the security, and 'increasing the stability of the respective 'kingdoms—by decreasing the discontent 'which, unfortunately, has long prevailed 'in one of them.' Such was the sentiment of Mr. Pitt; but the present proceeding was opposed to that sentiment. By adopting the Bill, they would only create confusion, not concord; and, instead of peace and tranquillity, they would engender distrust and discontent. In his conscience he thought that this was a measure which, if carried, Ministers and the country would, in the end, have strong reason to rue. It was a measure, he believed, contrary to the feelings of the people of England—it was a measure, he was sure, which greatly exceeded the necessity of the case. They talked of putting down predial agitation; and to do this they were about to deprive the Irish people of their rights—to remove, in fact, from those of whom they complained, any desire, any wish, to cultivate a feeling of quietude and content. But, if the hand of oppression fell heavily on men, it was impossible that they could participate in those sentiments. What induced Ireland to agree to the Union? Certainly the hope that she would participate fully in the freedom of the British Constitution. Did such a measure as this accord with that hope? If he had failed in appealing to the passions and sympathies of English Members on this most painful subject, he would next address himself to their calm and sober feeling. He would call on them to mark what the right hon. Secretary for Ireland had said in support of his case; and he would confidently maintain, that the Secretary for Ireland had not made out, had not proved, any such case as he had declared that he was able to substantiate. Yet, on a question of such momentous importance, the right hon. Secretary would not even allow the delay of a fortnight. He had now nearly concluded. If he failed in this humble but heartfelt appeal to the House to do his country right, still he had the satisfaction of feeling that, to the best of his ability, he had performed his duty. If Martial-law were to be inflicted on his country, he should go out of those doors with feelings of deep indignation. If he had failed in enlisting in the cause of his suffering country those whom he now addressed, he would invoke the memory of those great men, now departed, who, in former days, assisted in that House the few who were struggling in support of popular rights. He would invoke the shade of Mr. Ponsonby, that able and consistent patriot—who had led the Opposition in that House, and whose ashes now reposed in this country. From 1807 to 1812, when you could not get amongst yourselves any one to undertake the situation of leader, he stood forward, and boldly performed that arduous duty. To his shade, and to the shade of another statesman, whose memory was dear to him, yes,

> "Dear as the ruddy drops that visit this sad heart,"

to them would he appeal, in the hope that the recollection of their services might raise in the minds of those whom he addressed, a just, a kindly, an honest feeling towards his suffering country. He should resist this measure to the last, because it appeared to him to be fraught with the seeds, not of union, but of separation.

The *Attorney General* said, he should be wanting in that respect which was due to the House, he should be wanting in that respect which he might fairly assert was due to his own character, if he did not offer his opinion, and it was not a lightly considered one, with reference to this question. Observations had been made in the course of the evening, which would appear to call for some particular notice from him; but it was not his intention to enter into any personal argument with the hon. Member who made those observations, or with any other hon. Member, on such an occasion. He should merely say, with reference to the allusions which had been made, that he believed there was no man having the honour of a seat in that House, to whom they could be fairly or justly applied—there was no man in that House so base as, in his opinion, to deserve them. For himself, he should only say, that he would yield to no man who entered that House, (let his constituency be what it might—let him come from whatever part of the empire he might) in an honest love of rational liberty. He would resort to all constitutional means to maintain and to support such a species of liberty. But the liberty of which he spoke was connected, and intimately interwoven, with the laws and the Constitution of his country. It was a liberty friendly to the laws, friendly to loyalty, friendly to peace. It was not a liberty to be supported by midnight murders, by violence, by outrage, or by the unlimited congregation of men, who, whether with or without regular organization or combination, had shown themselves to be too strong or too cunning for the existing law. Such bodies, they all knew, had, assembled, and their acts were a disgrace to the community. Now, whoever fairly looked to this Bill, must see, that it was a Bill to suspend, for a time, and for a time only, under most peculiar circumstances, certain functions of the Constitution of the country. By thus acting, Government were not actuated by any improper feeling. They wished, on the contrary, by the assistance of this measure, to strengthen the hands of the friends of liberty—their object was not, as had been asserted, to extinguish liberty. This measure was resorted to, because it was considered, by those who brought it forward, to be necessary to the preservation of that liberty which they all revered; and he would add, that if they were not justified by the necessity of the case in so proceeding, he would not only join with Gentlemen in the condemnation of the Bill, but even if it went only one hundredth part as far as it did go, he would not, in the absence of an imperative necessity, give to it his concurrence. An imperative demand was, however, now made on the Legislature, in consequence of existing circumstances, to narrow for a time the liberties of a portion of the empire. In countries that were not free, there was no necessity, in any case, to apply for any additional powers. The despotic nature of the Constitution was sufficient to meet every exigency. It was only in free countries where such an application as this was deemed necessary to be made—there only it was requisite to resort, after proper deliberation, to a measure of this kind. In a free country, the law might be such, that though it was fully equal to the ordinary exigencies of the State, yet such circumstances might arise as the law was not calculated to grapple with. In that case it might be deemed advisable for a time to interfere with the liberty of the subject. The only point to be considered was, whether a justifiable necessity for such a determination had been made out? They then came to this point—what is the extent and nature of the crimes which you wish to repress, and what is the state of the existing law to meet those crimes? He would not, in considering this subject, go through the frightful enormities—he would not advert to the multiplied and still increasing crimes, which were reported from the unhappy country to which this measure referred. When they were dealing with those acts of enormity, he would not enter into a numerical enumeration of crime. No, he would point to a long and black catalogue of outrage, the perpetrators of which appeared to have under their control a large physical force. But it was said: "Oh, this is all predial agitation!" Well, suppose it was so; did that afford any satisfactory reason for opposing this measure? If predial agitation was too strong to be put down by the existing law; if, for years, a system of murder, and robbery, and intimidation, was carried on by a combination possessed of great physical force; if such were the case, how were they to meet the evil, how were they to punish the offenders? Must they not, if the ordinary powers of the law were too weak, have recourse to more powerful measures? He had heard, with great attention, the statements of those Gentlemen who were best acquainted with the situation of Ireland; and he would candidly ask them, what was the efficacy of the law in that country; was it, or was it not sufficient for the protection of life and property? Why, those Gentlemen admitted that such a system prevailed in Ireland, as clearly proved, that the law was not sufficient for the accomplishment of its object. The law, it was clear, could not operate, but through the medium of those authorities who formed an essential part of the system. There must be Magistrates to act, prosecutors to come forward, witnesses to speak, and Juries to pronounce a verdict. There must also be a species of public opinion to go along with the proceedings. All these things must exist, if they expected the law, in a free country, to do the necessary work required of it. Now, the House must be satisfied, from all they had read and heard, that the law, as it existed at present in Ireland, did not answer the purpose—it did not work well—its wheels were impeded, and its course retarded. What, then, was to be done? There was but one of two courses to be pursued; you must either follow up the law strongly, or, for a time, you must put some other force in action, the law having been found insufficient. With respect to the first point, he admitted, that they should pause and see if they could possibly proceed before they adopted this measure. What, however, was the case? It was easy to say, that offenders might be brought to trial, and the law might be administered; but the fact was, that offenders could not be brought to trial, in consequence of the system of intimidation which prevailed. Those who were not directly arrayed against the law, were prevented from coming forward. The evil, it was clear, could not be remedied in that way; for, in fact, the statutes had become, under this system of terror, a dead letter. What, then, he again asked, was to be done? Why, they could only proceed by some such measure as that which Ministers had proposed. But it was said, that it would be better, instead of establishing the Courts pointed out by this Bill, to allow the Judges to exercise the powers which were granted under it. Now, for his part, he could not conceive anything more objectionable, on purely constitutional principles, than the mixing up, in the same persons, of two very different principles. The Judges were in the habit of administering the law, which admitted none of those despotic principles that, in consequence of the circumstances of the times, the Bill did, to a certain extent, recognise. He should therefore ask, whether, in delegating to the Judges the duties to be performed under the Bill, they did not run a risk with respect to the Judges themselves, whose duty it was to administer the ordinary law, as well as to the Constitution? As he had already said, he did not like to see the Judges taken from their usual legal course to administer a new law, passed for a specific purpose. Then it was retorted: "If you will not have the Judges, why not take the Assistant Barristers?" In this latter case he very much feared that the public would be scarcely induced to believe, that the Assistant Barristers in their decisions were not actuated by the hope of procuring preferment from Government. The danger in either case was clear. The Judge ought not to be placed in a situation where by any chance he might forget the ordinary course of law, and the Assistant Barrister might be liable to suspicions, which, however unjust, might influence the popular mind. They could therefore only adopt that which the exigency of the case called for—an extraordinary power. Looking to all the circumstances, he did not think that there was any power to which they could so properly resort as that which was contemplated by this Bill. He knew there was an objection to the jurisdiction of Courts-martial, on account of the military education of those who must of necessity sit on them. That objection unquestionably, at first sight, had some weight; but, he would ask, did it follow, that those who were educated for a military life were insensible to the principles of justice? Were not those who sat on Courts-martial, under this Bill, amenable to another power? Was not that power amenable to Parliament afterwards, not only for their own acts, but for the acts of those whom they had employed, and over whom they had control, if they had not, in the exercise of their authority, fairly and justly made use of that controlling power? With respect to the distinction between predial agitation and political agitation, he would offer but a very few observations. It was very evident that where predial agitation existed, the movements were effected under some sort of power to whom the agents conceived themselves to be accountable. It was said: "Oh! in such a county, the disturbance all arose from predial, not from political agitation." He, perhaps, was not sufficiently acquainted with the subject to understand the exact connexion between predial and political agitation; but this was known to all, that in those parts of Ireland where predial agitation existed, political agitation existed also. No gentleman had proved, though some had attempted to prove, that the one was unconnected with the other. Now, he would ask, whether there had been any political agitation in Ireland that had not decidedly acted on the lower classes of the people? Where there was a predisposition to predial agitation, and where political agitation followed, on whom could that political agitation operate? What class —what portion of the population could it act upon, except upon that lower class already experienced in, or ripe for, predial agitation? He demanded from what class the Irish Volunteers were to come? He asked that question of those who stated that they were the best instructed as to the mode of agitating the people? He would ask, whether those Volunteers, who were to perform such great services for Ireland, were not to be taken from that intimidated, or misled, or criminal mass, which formed the predial agitators of that country? In his opinion these facts clearly connected together the predial and the political agitators. This was sufficient to show him that the predial agitation was too much for the law. Political agitation, whether it was so intended to operate or not, must, it was evident, have a powerful effect on the lower classes, already disposed to outrage and insubordination, because it had, in fact, no other materials to act upon. The acts and speeches of the pacificators were equally inflammatory. One gentleman, who had been despatched on a mission by the most eminent of the agitators, had used language relative to his Majesty, such as he (the Attorney-General) dared not to repeat in that House, but which he would characterize as being most flagitious and brutal. What were the proceedings of the volunteers? They involved the very worst species of tyranny —the tyranny of the mob. The institution was a scheme to obtain power; and the practice of holding up to odium those men who would not submit to the law they dictated, was the worst species of tyranny. It was said, that these Volunteers were not armed: they were not at present; but they were united under secret leaders, and formed one great mass for the protection of themselves, and the prosecution of their own purposes. The greatest of all the agitators, too, had expressed his delight at the probability of the great pacificator—he who had used the seditious harangue—the greatest of all the agitators had expressed the delight he should feel at a triumphant day in arms, when, his friend, Tom Steele, should strut at the head of the Volunteers. Was this a state of things to be contemplated with indifference? Was the existing disorganization of society to be allowed to continue? With regard to the present Bill, he sincerely hoped, that, as some Gentlemen seemed to suppose, such a change might be produced merely by the passing of it, as would render it unnecessary to put its provisions in force; he should be most happy if such proved to be the effect of this wholesome measure of constitutional counter-intimidation—most happy, if it gave courage to the good and well-disposed, repressed violence, and vindicated the authority of the law, without bloodshed or violation of personal freedom. If such were the case, or if the Bill in any way effected these desirable objects, and brought back Ireland to a state of peace and good order, the measure would only suspend the liberties of the country for a time, ultimately to preserve them, and enable the Legislature to hand them down to posterity, with all their excellence unchanged and unimpaired.

Sir *Robert Peel* spoke as follows:*—

Having a deep sense of the value of the time of this House, and seeing how much of it is wasted in useless discussion, I shall, without any attempt at an elaborate preface, proceed at once, briefly, and in the plainest language, to state the course I mean to pursue with respect to this painful measure; and the grounds upon which my resolution has been formed. I came down to the House on the first night of the debate, with a strong impression, founded on the general notoriety of facts which have not been denied, that some measure in aid of the ordinary operation of the law, was absolutely necessary for the protection of life and property, and the preservation of order in Ireland. I have since heard from two Ministers of the Crown a detail of atrocities, the recital of which makes the blood run cold. Is this detail correct? Have these murders—these burnings—these various atrocious crimes been committed? We may differ as to the conclusion to be drawn from the premises; we may differ as to the remedy to be applied; but do we agree as to the state of facts, and as to the existence and character of this evil? Up to this hour I have heard no denial of the truth of the statements that have been made. There appears on all sides an admission that the condition of society in many parts of Ireland is most alarming—that the worst crimes have been committed with impunity. Some attribute this state of things to the remissness of the Government; others think the spirit of disturbance might still be suppressed by the vigorous execution of existing laws; but no one has impeached the accuracy of those statements which have been made to the House on official authority. To that authority I can, of course, add nothing. If the details of crime already given be thought imperfect, I cannot supply the deficiency; but I find on the Records of this House some recent testimonies as to the moral and social condition of certain parts of Ireland, which completely confirm my own previous impressions, and warrant the inferences which have been probably drawn from the recital of individual acts of outrage. As I before observed, the first point to be ascertained is whether we are agreed as to facts. As the foundation of my argument, and in aid of the uncontradicted evidence already offered to us, I beg to quote the testimonies I have before referred to; they will be found in the appendix to a Report on the state of the Queen's County, which was presented at the close of last Session.

The first is contained in a charge delivered by a Judge of the land—a Judge who has had much experience in the administration of criminal law, who has had personal opportunities, in the exercise of his judicial functions, of observing the state and the progress of crime. This Judge has always professed opinions truly liberal; has always been the friend of that liberty which is founded on order; has from his earliest years been friendly to the Roman Catholic claims; and by his great abilities and unsullied integrity has commanded the respect of all parties in Ireland. The Judge to whom I am alluding is Baron Sir William Smith. It being his duty to preside at the Lent Assizes at Maryborough, in the Queen's County in the year 1832, he thus commences his charge to the Grand Jury:—

'Gentlemen of the Grand Jury—I find 'here a calendar consisting of 150 cases. 'Of these, twelve are charges of murder; 'six of conspiracy to murder; nine of 'man-slaughter; eleven of rape; five of 'child-murder and its appurtenants; 'eleven of abduction; forty-one of house-'breaking, assaulting dwellings, and rob-'bery of arms; nine of shooting at per-'sons; two of administering unlawful 'oaths; and twenty-two of violent as-'saults. A mere selection from this gene-'ral calendar, of cases which the At-'torney-General has found it necessary to 'prosecute consists, as to quantity, of

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* Reprinted from the second edition of the corrected speech published by Murray.

'crime, of more than fifty in number, and 'as to quality, includes nine murders 'or felonious homicides; five cases of 'robbery, and one of demanding arms; 'five of burglary; one of conspiracy to 'murder, and three of shooting at with a 'murderous intent; one case of arson, 'and four, or rather six, of assaulting 'habitations; five of compulsory notices, 'threats, and menaces; and two of administering an unlawful oath; eleven 'cases of waylaying and malicious assault; 'two of appearing in arms; four of abduction; one of child-murder, and one 'of child-desertion.'

These were the atrocities to be tried at one assizes.

The learned Judge proceeds:—'The 'state of this county, however, seems to 'furnish an example of what I have more 'than once had occasion to observe; how 'easily disorder can shift its purposes and 'course, and, after threatening one line of 'outrage proceed upon another. A fact 'which, by the way, we ought constantly 'to bear in mind; and be cautious how, 'by encouraging the discontented feelings 'of the populace, we inadvertently collect 'and raise, and train and exercise, a force 'concerning which we must be uncertain 'what direction it may take. Not many 'months ago, when I last was in this 'county, and presided in this court, I 'found a system gaining head, of tumultuary array against rights long undisputed, distinctly recognised, and firmly 'established by the law. It did not seem 'to be too late to stem the gathering torrent. This, accordingly, within my 'limited province, I attempted; and, for 'a time, the attempt did not appear to be 'unsuccessful. But my endeavours'—I call your attention to this passage—'were 'counteracted by influence which did not 'fail to render them abortive. Of this 'powerful counteraction, what may be 'surmised to have been already the results? The lower class of society— 'a class deficient in the guiding lights of 'knowledge and instruction, and labouring, it must be admitted, under sufferings and privations, and on these accounts the more liable to be excited and 'misled—this portion, I say, of our community, stimulated into turbulent and 'lawless agitation (it may be unawares, 'and without a culpable, nay, even with 'a laudable intent); your county, become 'restless, discontented, and disturbed; 'its tranquillity rendered, I can only hope 'not permanently, insecure; your prison 'crowded to excess with persons charged 'with insurrectionary transgressions of the 'law; and the Crown compelled to 'wield its powers of prosecution, if not 'with rigour, with an unusual degree of 'energy and force. If the popular enterprise and incursion proved a failure, we 'should have gained by it nothing better 'than commotion and offence; followed 'by the punishment of, too often, not the 'misleaders, but the misled. If on the 'contrary, their resistance of the law accomplished an alteration of its enactments, might they not, by their victory 'over one class of rights, be encouraged 'to march forward to the storming of a 'second, and not discover, till too late, 'that in spoiling the rights of others, they 'had been inadvertently plundering and 'demolishing their own?'

Take the testimony of another gentleman also above all exception—a gentleman who would not have come forward, considering the situation in which he stood, unless he had been compelled by an urgent sense of public duty. I refer to a gentleman occupying the situation of a Roman Catholic priest, with no undue influence upon his mind, to lead him to exaggerate the unfortunate condition of the country. In a letter addressed to Lord de Vesci, by the Rev. Nicholas O'Connor, parish priest of Maryborough, and quoted in Mr. O'Connor's evidence before the Committee, the following passage occurs: —'In vain have we waited, in hopes of 'the returning good sense of the deluded; 'and have found, on the contrary, the 'well-disposed compelled, by intimidation, 'either to join the illegal societies, or murdered, or terrified out of the country.' This was the testimony of a Roman Catholic priest: it occupied only three lines, it is true; but could the House conceive three lines more pregnant with horror? Such was the state of the country—such the powerless condition of the law, that, to the peaceable and well-disposed, the choice was offered between three courses of action —either to join the illegal societies, or forfeit their lives, or abandon their country. I shall only refer to one other testimony in reference to this subject, because the multiplication of undisputed and indisputable statements, all bearing on the one point, is of no advantage. The last testimony, then, to which I shall direct the attention of the House, as completing the picture, is that of Dr. Doyle, Roman Catholic bishop of the diocess of Kildare and Leighlin. It is contained in a letter addressed by Dr. Doyle to the Catholic clergy and people of his diocess, and is as follows:—'For several months past we 'have witnessed, with the deepest affliction of spirit, the progress of illegal 'combinations, under the barbarous designations of Whitefeet and Blackfeet, 'within certain portions of these diocesses. 'We have laboured—by letter and by 'word, by private admonition and by 'public reproof, proceeding from ourselves 'and from our clergy—to arrest and to 'suppress this iniquity; but the tares 'which the enemy of man has in the 'night-time sown in the field of the 'Church, have grown up in despite of 'our watchfulness. Murders, blasphemies, perjuries, rash swearing, robberies, 'assaults on persons and property, the 'usurpation of the powers of the State,' —mark that; 'the usurpation of the 'powers of the State,'—'and of the rights 'of the peaceable and well-disposed, are 'multiplied and every day perpetrated, 'at the instigation of the devil, by the 'wicked and deluded men engaged in 'those confederacies.'

Such is the outline of the state of crime in one considerable district of Ireland, traced by the faithful pencils of a Roman Catholic priest, a Roman Catholic bishop, and a Judge of the land. Will any one assert that the picture is overcharged? If it be not—if there be no exaggeration, no over-colouring of the melancholy facts—will it be maintained that ordinary remedies will suffice for the cure of this admitted and alarming evil? If the statement of facts be not denied, and if the existing law be not sufficient, then I feel warranted in giving my assent to the first reading of this Bill—that is, in fact, to the introduction of the measure, with a view to its future consideration in detail. Into that detail I will not now enter; not that I would shrink from doing so, if this were the fit occasion; but let me assure those who are for the first time Members of this House, that the established rules and orders of our proceeding, which allot different stages of the same Bill for different discussions—one for the principle, another for the details—are well calculated, if duly observed, to promote the fair collision of opinion, and to elicit the truth. All that I shall say at present, with respect to the details of the Bill, is briefly this, that, although I will not now pledge myself to their adoption without modification; yet I will not consent to fritter away the general efficacy of the measure, by encumbering the powers which it confers by various restrictions and qualifications.

I will now proceed to review those arguments brought forward in this debate against the principle of the measure, which appear—at least if one may judge from their frequent repetition—to be mainly relied upon by its opponents. It is said, repeatedly, that this measure of coercion is no cure for the deep-seated evils under which Ireland is suffering. In the truth of that observation I cordially concur. There is not a man present who views the condition of society in Ireland with more anxiety and apprehension than myself; or who feels more strongly than I do, the utter worthlessness, as a remedy, of this or any other measure of mere coercion. To form a true judgment of the state of Ireland, we must raise our views above the comparatively petty subjects of our party conflicts—above the questions, important as they are, of Corporations and Grand Jury laws, and tithe-commutation bills. We must include within our view, a whole population labouring under the double evil of a rapid progressive increase in its numbers, and of the contraction of a demand for its labour, and therefore, its increasing destitution. We shall find these evils, that seem, at first view, incompatible with each other—each acting and re-acting on the other, and contributing reciprocally to their own aggravation: the increase of population lowering each individual in the scale of comfort and enjoyment; and the diminished scale of comfort, by removing the checks on early and improvident marriages, and by causing a recklessness about the future, having a tendency to increase the population. Then comes the failure of the potato crop, the want of food, and the ravages of disease, opposing sudden and calamitous restraints on the increase of population, which might be much more effectually and more gradually controlled, were it possible to give a taste for increased comfort; and, at the same time, to supply by labour the means of commanding it. For these evils this measure is no relief. [Hear, hear, *from some Members.*] Who said it was?—True, this measure is no remedy; but a state of anarchy precludes one. Coercion is not a cure; but continued insurrection is positive death.

I am aware that, even with regard to the professed remedies for the permanent evils of Ireland, I differ from a large majority in this House. I listen, night after night, to the attempts that are made to charge the clergy of Ireland with exaction and rapacity, and to represent tithe as the crying grievance of Ireland. No, no; these are not the sources of the evils that afflict the country; and though an extinction were effected of the legal rights of the clergy, the evils would continue—ay, and would be aggravated, if the rights of which the clergy should be deprived were transferred to the landlords. The first step towards remedying the evils, and removing the disorders of Ireland, will be the knowledge and the statement of the truth. Do not let us offer up unoffending men, who are already despoiled of their rights of property, as sacrifices for the exactions of others. Such a sacrifice would not suffice. You cannot stop at the spoliation of the Church. You will be the sufferers by your own injustice. Remember the remark of Lord Bolingbroke on the trial of Sacheverell: it is true of your attacks on the Irish clergy, and of their result:—'They made a fire to roast a parson, but 'they made it so hot that they burned 'themselves.' I ask, whether Gentlemen have read the evidence on the subject of tithes? I refer them to the testimony of Mr. John Walsh, a Roman Catholic Magistrate—for I prefer Roman Catholic evidence in such a case—for an exculpation of the clergy. Mr. Walsh is conversant with the condition of the lower classes of his countrymen, and his testimony shows that the miserable state of that vast class of farmers who occupied farms of less than fifteen acres, was attributable, not to the tithe of the clergy, but to the rent of the landlords. Let those Gentlemen who talk of the exactions of the clergy, and think that the evils that afflict Ireland flow solely from tithes, and, consequently, that the "healing" measure for their abolition would accomplish all that was necessary to be done in that country—let them look at the evidence of Mr. Walsh. He states that the majority of persons under the class of farmers in the county of Kilkenny are people holding from ten to fifteen acres of land; that they are generally in the greatest state of destitution from about the month of April to the month of September. Farmers in that class have no means of meeting the demands made upon them but by their crop; and from the time the sale of the crop takes place, till the next crop, they are destitute of every means of obtaining money. Potatoes generally, without either milk or meat, constitute their diet; and they consider themselves very lucky if they have enough of them. I asked Mr. Walsh how many rents a solvent tenant in Ireland ought to make, in order to prosper on his farm. His answer was—'Such a calculation 'never came into the head of the Irish 'tenant. All he looks to is, to provide his 'family with potatoes, and pay his rent to 'his landlord.' I asked him whether the people consider themselves well off, if they made two rents out of their crop. Mr. Walsh replied, 'that he considered a 'farmer, by converting land to the best 'purpose, might make double the rent; 'but he did not think that the small 'farmer, in general, made anything like 'that. He meant to represent this as the 'general state of the farmers of ten or fifteen acres, who have a greater proportion 'of the whole land than the half of it.' The examination of Mr. Walsh proceeded as follows:—'You were asked for a statement of what you conceived to be the 'outgoings upon a farm of ten acres, and 'the profit that would accrue to the 'tenant: have you prepared a statement 'in explanation of that?' Answer: 'I 'have. I have put the most general mode 'in which an Irish farmer of that description makes his rent. I have first debited 'with his year's rent, 15*l.*; then ten barrels of seed potatoes at 4*s.* for one acre, 'planted for his own use, another acre 'being generally given for manure, 2*l.*; 'two barrels of seed wheat, 2*l.* 10*s.*; four 'barrels of seed oats, 1*l.* 16*s.*; at 9*s.* a 'barrel; by which he will have cropped 'two acres of wheat, two of oats, and two 'of potatoes; making six acres of tillage, 'and leaving the remaining four acres to 'support his cow and horse. I think I 'overstated the average produce of such 'land at six barrels of wheat per acre; I 'think five barrels would be nearer the 'average upon 30*s.* land. I have put 'that at 1*l.* 5*s.* a barrel, which for ten 'barrels would be 12*l.* 10*s.*; the oats, of 'which he may have sixteen barrels, I 'have rated at 9*s.*, making 7*l.* 14*s.*; profit 'on feeding four pigs, 6*l.*; butter sold 'from one cow, generally in small quantities, 1*l.* 10*s.*; making, in the entire, '27*l.* 14*s.* The seed and rent, as I have said, 'come to 21*l.* 6*s.* Then, where the composition is not in force, there is tithe on 'two acres of potatoes, 1*l.* 4*s.*; wheat, '1*l.* 4*s.*; oats, 16*s.*: the rent, tithe, and 'seed, therefore, come to 24*l.* 10*s.*; and 'deducting that from the receipts, which 'come to 27*l.* 14*s.*, there is only 3*l.* 4*s.* 'left him for paying taxes and Church-rate, repair of houses and forge-work—the 'labour being done by himself and family, 'for whose support he has one acre of 'potatoes and one cow's milk.' I will next read an extract or two from the evidence of a clergyman named Dwyer. In answer to the question—'Are there a 'great number of intermediate landlords 'in Ireland?' Mr. O'Dwyer said, 'Not 'in the part where I live; but I believe, 'in many parts—in the more improved 'parts, there are.'—'Is it the case generally?'—'I believe it is wearing out a 'good deal; I know that in the county 'of Galway, it has considerably decreased.' 'Do you know the situation of the 'landlord placed immediately over the 'tenant; is he generally a respectable 'man?' 'Very often not: last year I 'found upon a piece of land, that might, 'when it was let, be fifty-six or fifty-eight 'acres, fifty-two families residing; it was 'broken so small as that; and the consequence of the minute subdivision of it 'was, that, being adjacent to a bog, the 'people had spread, and reclaimed some 'of the lands of the bog.' Before they joined in condemnation of the clergy, let the House attend to the following extract from the same gentleman's evidence. It was the intention of the Tithe Composition Act to relieve the tenant from the tithe, and that the landlord should henceforth let his land tithe-free, and be the virtual payer of the tithe; that is, by giving credit for the tithe-owner's receipt for such tithe. Says Mr. O'Dwyer, 'I have in my 'own instance known the tithe composition 'applotment to be borrowed from me and 'from my clerk, by the agents of proprietors in the country, for the purpose of 'ascertaining what the exact amount of 'composition was with reference to their 'own estates, and then setting their lands. 'On many occasions I believe, it has been 'the practice to embody in the rent that 'they charge upon the tenant the amount 'of the composition-rent, as applotted or 'assessed upon the land; but still, nevertheless, that the liability for the payment 'remained upon the tenants; and those 'tenants, many of them, have complained 'to me that when they offered their receipts for tithe-rent, they got no credit 'for it in the accounts of their landlords.'—'Would not the tenant have the power of 'enforcing such a claim against his landlord?'—'I am not aware that there is 'any especial provision in the Act that 'would enable him; and I am sufficiently 'well acquainted with the dispositions and 'the habits of the people to know, that it 'would not be a very feasible thing for 'them to do, to compel such credit to be 'given. The tenantry, in general, are too 'much dependent upon their landlords. 'Leases are generally not given complete 'leases; they more frequently hold by 'demise, or they hold by acceptance of 'proposal, which leaves them entirely at 'the mercy of the landlord to continue 'them in or not.'

Now, I ask, is the statement of this clergyman true? Are there landlords in some parts of Ireland who have done this? Have they increased the rent of their tenants by the amount of tithe to which those tenants were subject, left the tenant responsible for the tithe to the clergyman, and then refused to give him credit for the amount paid, notwithstanding the production of the clergyman's receipt? If these things are not true, contradict them: but while they remain on our records uncontradicted, it is neither very generous nor very just, that, in this assemblage of landlords, where the clergy have no place, no means of personal defence, they should be held up as extortioners, and destroyers of the poor. They have lost—many of them, at least—have lost their all, either through the dishonesty of others, or their own forbearance. In mercy, let us spare their characters, unless we are sure that our accusations are just.

Other remedies are proposed—Poor-laws among the rest. If I have paused in giving my assent to their introduction into Ireland, it is not from insensibility to Irish suffering, but from the fear, where poverty is so wide-spread, and the demand for labour so disproportionate to the supply, that, the principle of the Poor-laws once introduced, the whole revenue of the land will ultimately be absorbed by the claims for relief, and an agrarian law of the worst kind practically established. Suggestions have been offered of a strict limitation of the principle of Poor-laws; of confining relief exclusively to cases of disease, and decrepitude, and total incapacity for labour. If this limitation can be applied, and rigidly enforced, many of the objections to the system of Poor-laws will, no doubt, be abated. But looking, on the one hand, to the extent and complication of poverty in Ireland; on the other, to the extreme difficulty of confining within definite limits any sound principle of relief, and of checking its abuse—I have sometimes feared that, in reference to Poor-laws for Ireland, we are almost arrived at that melancholy state described by the Roman historian, '*in quo, nec* '*vitia nostra, nec remedia, pati possumus.*'

There has been much vague declamation about healing measures, and large concessions, the nature of which has not been specified, and of which, therefore, no one can judge. But this I will say, that, however you may talk of healing measures, and notwithstanding you may conciliate powerful parties by concessions, Parliament will gain nothing by giving way to popular clamour, or yielding one single point beyond that which their sense of justice may dictate. If Ministers should either consent to the confiscation of any species of property, or should establish principles leading to future confiscation, they may be cheered in this House by the voices of many around them—but not only will they fail to procure additional security for life, and peace, and property; but, so far from satisfying the deluded people of Ireland, they will only whet their appetites for further rapine. I shall vote for this measure; but I accept it as no compromise on any other subject. I vote for it on its own principle, and will consider whatever other measures may be presented on their principles. If ever there was a country in which it was essential jealously to uphold the rights and properties of all classes—to teach all men, rich and poor, that those rights must and shall be respected—that clamour and combination shall not prevail; it is the country which is the unhappy subject of this debate.

I shall proceed in my review of the main objections to this Bill—sweeping aside, of course, all the rubbish with which Gentlemen have filled up the interstices of their arguments. Of such rubbish the following appeal was a fair specimen:—'Was this measure the proof 'which Ministers gave of their gratitude 'to Ireland?'—'Was this the gratitude 'of the Legislature for the assistance re- 'ceived from Ireland on the Reform Bill?' As to this latter appeal, it could not be supposed to produce much effect upon those who had opposed Reform. Still, I admit, that I should be quite as base as those charged with ingratitude, if I consented to a law like this, if it be not absolutely necessary for the tranquillization of Ireland. But this is no question of gratitude or ingratitude. The lives and properties of the King's peaceable subjects are not to be complimented away. The question is, does the state of Ireland require such a measure? If it does, what room is there to talk of gratitude? Parliament is to determine whether bands of armed ruffians are to be permitted to break open houses by night, to plunder arms, to injure property, to destroy life. Why do you call these things privileges? Is this the happiness and the liberty of which it will be ingratitude to deprive you? It has been said, that this measure amounts to a suspension of the British Constitution. I admit, that it is a measure of severity, of intolerable severity, unless there be a paramount necessity for it: I admit that; but I deny that it is a suspension of the British Constitution. Oh, no; that has been long suspended. I see, indeed, a ghastly form, which takes the semblance and usurps the name of the British Constitution; but it is a phantom without life. You mistake the British Constitution. It is not a mere heap of cumbrous formalities, that serve no other purpose but to give impunity to those who are accused of crime. The British Constitution is meant to give equal protection, and ensure to all equal liberty. It presupposes the existence of some executory principle to work it—of instruments imbued with the generous spirit in which itself was framed. It presupposes a love of order, a respect for property, a reverence for the obligation of an oath. The British Constitution never recognised the vile doctrine of passive resistance. It may have no punishment for it. It may have been too generous to foresee a wide-spread combination among rich and poor, to defeat the law, and to rob others of their property. So long as this robbery is committed with impunity—so long as innocent men are fleeing from their homes to seek protection from murder—do what you will, but do not talk of the British Constitution! Spare us the stale quotations from Lord Chatham — spare us the empty boast "that an Englishman's house is his castle!" What! Was the reverend Mr Houston's house his castle? Was Mr. Marum's house his castle? Will you see men savagely murdered in the broad day by assassins, and then mock their widows and their children with your laboured periods about the British Constitution and an Englishman's castle? You may not be able to punish guilt; you may not be able to prevent murder; but do not let these things be perpetrated under the shield and cover of the British Constitution. Send it not on a forlorn hope, on which disgraceful failure is inevitable. Impose not upon it the condition of Egyptian bondage; and exact the work without giving it the materials. This is my answer to your objection, that the Bill will suspend the British Constitution.

But it has been asked repeatedly, would England tolerate this law? I ask, would England tolerate the state of things which now exists in Ireland? And this state of things existed before this law was brought in, and therefore my question ought to have precedence. Would England bear to live under the domination of hungry and illiterate legislators, with no more mercy than those in Ireland? I tell you that England, rather than submit to such a state of things, would rouse those energies which existed before laws, and are independent of laws, and would put down the base and vulgar tyranny. If these failed, and if to the suppression of that tyranny such a law as this was indispensable, England would tolerate it—ay, and would demand it. She would not talk of the ingratitude of a Legislature, which rescued life and property from midnight attacks—but she would rebuke the apathy and cowardice of one which refused to give them protection. The measure had two objects in view; and one of the main objections to it was, that it contemplated both those objects. The first object for which it provided by enactments which extended to the whole of Ireland, was to prevent political agitation; the other object was, to prevent those insurrectionary proceedings which have been called in this Debate agrarian disturbances. The objection was, that political agitation was unconnected with the insurrectionary proceedings, and that it was unnecessary and unjust that there should be precautions taken against political agitation. I will make no personal applications, but this I will say, that I will not vote for a law which should arrest the ignorant and deluded offenders, unless it laid at the same time its interdict upon the system which encouraged and incited them. I am now touching on the most important part of the measure. It would be unjust to limit the law to a number of wretched Whitefeet, whilst it made no attempt to prevent the proximate cause of insurrection. I can see no justice in an act which should punish the deluded conspirators, if it did not take some precautions against the system of political agitation. There are great fallacies on this part of the subject. The argument was this—that there were two matters, political agitation and insurrectionary violence, but that they were altogether unconnected; that the system of political agitation was, not connected with the insurrections. He should try to draw the line between the truth and the mistake, and expose the fallacy. The object of political agitation was, to work upon the mass of the people—to create a mighty power of opinion and physical force combined, which should be subject to its control, and obedient to its will. It was no easy matter to keep this fiery mass at the proper temperature, and at the same time to prevent those partial eruptions and explosions from which no good could ensue. I do not deny, that political agitation does occasionally condemn, and does try to repress, insurrectionary violence: to be sure it does—it does it whenever insurrectionary violence defeats the object of political agitation. You say, that political agitation has the power, and has exercised the power, of restoring peace to disturbed districts—that ten counties have been quieted through its influence. I, for one, will not pay such a price for peace and quiet. What does all this prove? Why, that there exists a power, superior to Government, and superior to law, that operates by an unseen but magic influence on the mass of the people. This power may be strong for good purposes, but it is irresistible for evil. Do you think, if it can perform the miracle of stilling the stormy wave of the multitude, it need to put forth equal strength to rouse into fury the tranquil deep? Your Government and the dominion of the law exist but by sufferance, if you permit yourselves to be duped by the sophistry, that, because political agitation may be able occasionally to control popular excesses, therefore it is a system to be tolerated and encouraged. But the truth is, that it can only control those excesses for a time: it must administer some great stimulant; it must excite a hope of some great measure of relief. At one time the Catholic Question will serve its purpose; at another the Repeal of the Union, or the destruction of the Church: but if it should come to pass that excitement cannot be maintained—that the special object to be gained cannot possibly be achieved; then popular excesses will break their bonds, and prove too strong even for political agitation.

You read to us plausible and artful manifestoes, exhorting the people to abstain from crime. They may be very sincere; you tell me they are so, and I am bound, at least, not to contradict you; but this I say, that the issue of such manifestoes is, of itself, no proof of sincerity. I say more, that the cunning of the serpent would suggest and dictate the issue of them. I will believe you to be sincere, if you will abandon the system of agitation at the same moment that you exhort the people to peace and good order; but, if you do not abandon that system, of what avail are your exhortations? Of course, the mass that obeys you will be more irresistible, as the habits of subordination and discipline are more complete. Is an army less powerful or less formidable because it maintains good discipline—because it obeys the orders of its superiors—because it abstains from individual acts of outrage and violence? I do not say, that such exhortations are incompatible with good intentions; but I will prove to you that they are quite compatible with the worst. Let us go back to the period of 1798. You will find, in the secret reports of the Irish Parliament, on the origin and progress of the Irish Rebellion, that the leaders of rebels, who were negotiating with France, were, at the same time, exhorting their followers to peace and good order. Here is an address of the County Committee of Dublin to their constituents:—

'We recommend, in the most earnest 'manner, your constant recollection of 'your solemn obligations to promote a 'brotherhood of affection among Irish'men of every religious persuasion: suffer 'it not to be a mere profession; but 'realise it by every act of benevolence and 'kindness, as you would do to your na'tural brothers.

'Be sober, and promote sobriety in all 'your circles. Banish all violent and in'temperate language from your meetings: 'be assured that nothing can injure the 'cause of liberty more than such con'versations. Violent and intemperate lan'guage is affected by spies and enemies.' —Spies and enemies! one word on that subject. This is the universal cant, that all the disturbances in Ireland are the work of emissaries employed by the Government, to ensnare the credulous and innocent people into the commission of crime. I have been connected with the Government, English and Irish, for near twenty years, and I declare, upon my honour, I never knew or heard of a spy or emissary employed by Government for the purpose of seducing people into the commission of crime. The Government that employed such instruments would be justly the object of execration and ridicule. But to revert to the Address. 'Avoid, as 'much as possible, all meetings in public 'houses: a few minutes, in any con'venient place, will be sufficient for a 'small number of men to confer on the 'objects of their deliberation.'

What excellent advice! but where do I find it? Why, in the very same document which contains the resolutions and constitution of the Society of United Irishmen;—in the very same document which explains the organization of that extraordinary machinery of treason, by which baronial Committees, and county Committees, and provincial Committees, and the national Committee, were constituted; the inferior authorities each obedient to the commands of a superior, of whose names and persons it was kept in utter ignorance.

Among the persons who were apprehended in 1798, shortly before the breaking out of the Rebellion, was an active agent of treason, of the name of Edward Ratigan. In his house there were found many thousand copies of an Address to his countrymen, breathing that spirit of peace which betokens the holy effusions of religion, rather than a political manifesto. Can anything be more edifying than the lessons which it inculcates?—

'Your strength consists in being a cordially united and thoroughly well organised body. Let sobriety, let good character, let courage, let talents, be the qualities which shall direct your choice. Purge your societies of all suspicious or doubtful men. Be discreet, and avoid drunkenness. Be patient, and avoid riots. The taking of arms, by force, from houses, is attended with great evil, and productive of no good; therefore, any man imprisoned shall not be maintained by their societies.' [Hear, hear! *from some Members.*]

Oh yes, the instructions are excellent; but, sometimes, the cry of "Hear, hear!" is premature. What a pity it is that this was not the only document found in the possession of Edward Ratigan! He would have gone forth with the character of an apostle of peace; and would have been sent, perhaps, on his holy mission, protected and rewarded by the Government of Ireland. But Edward Ratigan had other papers in his possession, which might suggest a doubt of his apostolic character. He had a sergeant's oath, which runs thus:—

'I, A B, do voluntarily declare that I will come forward when called upon by my captain or superior officer, and aid him in any eligible manner that may tend to the establishment of liberty or the freedom of Ireland;, and that I will not call forward, under arms, any of the men consigned to my command, without the authority of my superior officer; and that I will not risk, by any illegal meeting, the safety of any individual under my command.'

This oath throws some suspicion, I fear, on the good intentions of the political sermon on obedience and sobriety, of which Mr. Ratigan had so many thousand copies: but there was in the possession of Mr. Ratigan a still more awkward document. It reposed peaceably, side by side, with the admirable address which was cheered just now, and it is not a bad commentary upon it.

It is a return of the number of United Irishmen in thirteen counties of Ireland; that is, of the men among whom the address was to be distributed, and who amounted, from Mr. Ratigan's returns, to 111,725 men, for whom there were in store, according to the same return, 6,919 guns, 34,632 ball cartridges, and 43,125 pikes. So much for Mr. Ratigan and his exhortations to sobriety and good order. Now, all that I meant to prove was, that it may so happen that men with very dangerous intentions may sometimes give very good advice respecting the duties of peace, and obedience to the law; and I hope that I have succeeded.

It only remains to inquire what practical course I shall pursue. Shall I vote for the first reading of this Bill, and thus permit a further consideration of it? or, shall I reject it at once, as an act of intolerable and unjustified despotim? I have, it is true, an alternative: I may, if I choose, range myself under the standard which has been erected by the right hon. Gentleman (Mr. Tennyson), the member for Lambeth. But really, Sir, the device which he has chosen for his shield is so little inspiriting, that I am forced to hesitate. If his war-cry had been, "Down with the Bill!" or, "Trial by Jury!" or, "Stand by the Laws!" or, "The British Constitution or Death!" one might have partaken of the enthusiasm of your leader, and followed him at all hazards. But when the leader has chosen such a very unromantic motto—when his standard is merely inscribed—"That this Bill be read a first time on this day fortnight;"—when he rallies his followers with the sage advice, "Let us wait a little,"—"Come, tarry awhile with me," I have self-possession enough to resist his appeal.

Wait a fortnight! and for what? Why, to see what effect the promise of remedial measures will have in a fortnight. Did the right hon. Gentleman hear the Secretary of Ireland give an account of the relative progress of crime during certain periods of each of the last four years? It was bad enough in 1829; it was worse in 1830; 1831 was still more alarming; but 1832 almost exceeded belief. Well! but you have had "remedial" measures in abundance during the interval. Why, you had extinction of tithe, as it was called: nay more, you had the great healing measure of all, Reform of Parliament. If they have done nothing in the space of four years; nay, if they have made,—or, at any rate, if matters have become, in spite of them—infinitely worse, where is the use of waiting a fortnight? How I wish we were at this moment at the end of the fortnight, and that I could just ask the member for Lambeth, what he would do next? Would he wait another fortnight, or pass the Bill? No, Sir, there is no use in this delay; there is no use in pausing on the banks of this turbid stream, and poring over the waters, to see whether, some days hence, they will be less streaked and discoloured with human blood. I am for passing over while it is yet day; while the current is yet fordable; while it is yet within our power to carry across the stream succour to the law, and consolation to the drooping spirits of those who have begun to despair. Wait a fortnight, and you may be too late! not because you waited the fortnight; but because you showed the symptoms of irresolution and fear. The current already rapid, but still passable, may, before you are aware, become a foaming torrent, that refuses to be crossed—

> "Lapides adesos,
> Stirpesque raptas, et pecus et domos
> Volventis unâ———"

I have attempted to refute some of the objections urged against this measure; but the truth is, that it is here, it is in this list, in this bloody catalogue of crime, that the true answer to these objections lies:—196 murders and murderous attempts; 194 burnings; 1,827 burglaries and attacks on houses! Can you deny these facts; and if you cannot, where is your answer to the argument drawn from them? It is too powerful not to be repeated. Above 2,200 acts of insurrectionary violence have been committed in one single year in one single province.

One hundred and ninety-six murders!—Why, you have fought great battles, and achieved famous victories, at a less cost of English blood! [An *Hon Member: No, no!*] No! but I say emphatically, Yes. The battle of St. Vincent cost you less. The terrible bombardment of Algiers cost you less. With less profusion of English blood you rolled back the fiery tide which the exulting valour of France poured upon the heights of Busaco. But why do I talk of battles?—Oh, how tame and feeble the comparison between death on the field of honour, and that death which is inflicted by the hand of Irish assassins. It is not the fatal hour of that death that is most terrible; it is the wasting misery of suspense, the agony of expectation, that is listening for weeks and months to every nightly sound, lest it be the fatal knell to summon a whole family to destruction. These are the real terrors, from which the act of murder is but too often a merciful relief. In Ireland they can afford to give you notice of death; and woe to the victim that receives that notice and neglects it! In England, who is there that has mixed in public life and has not received some anonymous warning, or threat of personal injury, and, having received it, does not treat it either as a malignant jest, or an empty menace, which proves, that from one quarter, at least, he is in no danger? But, in Ireland, these warnings are given in sober earnestness. They are the preliminary tortures, the refinements of cruelty, which embitter the pangs of death. These, Sir, may appear slight things, but they are in truth, the colours that paint the state of society more vividly than volumes of laboured disquisitions.

There never was a tale of fictitious horror that equalled the romance that in that state of society real life has presented. There never was a creative fancy that could figure to itself a state of misery more terrible than that which has been, and now is, endured by many a family in Ireland, or could pourtray, from imagination alone, such examples of heroic fortitude, of sublime composure in the very jaws of death, as have been exhibited by illiterate and wretched peasants. There you may find the gauge and measure of the load of agony which the human spirit, after repeated trials, can endure, without fainting under the pressure.

I am still haunted by the recollection of the scenes of atrocity and suffering with which I was once familiar. Will the House bear with me while I mention one fact to prove the truth of what I say, both as to the misery that is endured, and as to the fortitude that is exhibited? It occurred long ago, but it was then no rare occurrence, and it is less so now.

There was a family in the county of Kilkenny, consisting of a father, mother, and three children; the eldest child, a girl about nine years of age. The father had made himself obnoxious by giving evidence against some persons charged with Whiteboy offences, who were, I believe, tried and executed. He was forced to leave the country; he came to Dublin: but the desire to return to his native spot overcame his fears, and he was resolved to brave the danger. It was in vain to expostulate with him: all he asked was, that he might be allowed to return to his home, and that his house might be slated. Perhaps some English Members are not aware of the object of this request, and do not see the great difference, in point of security, between a thatched and a slated house. Here, again, is one of the slight, almost imperceptible circumstances, that are unerring indications of the state of society. The house is slated, as a means of additional defence, to prevent the murderers, who may try to force an entrance through the door or window, from setting fire to the roof in case of failure. The man returned to his home, took possession of his house, received a notice to leave it, and a threat of murder if he did not; but he still resisted all importunity to him to come to a place of safety, and remained with his family some weeks, without being attacked, long enough to relax his vigilance. One night his house was surrounded either by eleven or nine men (I forget which at this moment). He was asleep in bed with his wife and children. They broke into the house, dragged the man just outside the door, and murdered him in the most horrid manner, with pitchforks, in the hearing and almost in the sight of his wife and children. Now, let the House mark what I am about to relate. While the husband was in the struggles of death, the mother took her child—the child of nine years of age;—placed it in a recess that was close to the fireplace;—and, such was the heroic fortitude of that woman, such her awful composure, while the cries of her dying husband were ringing in her ears, that she said to her child: 'Those are the 'cries of your dying father. I shall be 'the next victim. After they have 'murdered him they will murder me: 'but I will not go out when they call me; 'I will struggle with them to the last, 'that I may give you time to do that for 'which I put you here. My last act will 'be to throw this dry turf on the hearth; 'and do you, by the glare of it, watch the 'faces of the murderers, mark them all 'narrowly, that you may be able to tell 'who they are, and to revenge the death 'of your father and your mother.'

As the unhappy woman foretold, so it fell out. She was summoned, but she did not go forth. After a short but unsuccessful struggle with her murderers, she was dragged out of the house, and she was actually slain upon the bleeding body of her husband. The child obeyed her dying command;—watched, by the lighted turf, the faces and every motion of the assassins; and upon the artless evidence of that child, which nothing could shake, five of those assassins were convicted, and hanged! Such are the romances of real life!

Alas! in that state of society in which such things take place, it is not merely that laws are powerless; all the moral restraints and checks on crime appear to have lost their force. Those feelings of pity, those compunctious visitings of nature, which, in other times, have given protection, at least to the helplessness of age and infancy, are extinct. There is no remorse. The conscience—"which makes cowards of us all,"—inflicts no secret punishment on the murderer whom the law has spared. Those superstitious terrors; those salutary, and almost instinctive prejudices, that impress the mind with a belief that murder cannot escape detection—are obliterated. The mighty genius that dived deepest into the recesses of the human heart, and laid bare the springs of human action, never imagined the total extinction of pity and remorse. When he painted the murderer, he painted him haunted by the recollection of his crime, and driven to distraction by the phantoms that pursued him:—

> ——" Blood will have blood, they say;
> Stones have been known to move, and trees to speak;
> Auguries and understood relations have brought forth
> The secret'st man of blood."

In Ireland the man of blood is not secret: and neither the law of his country nor his own conscience, have any terrors for him.

In this state of things, then, there being no adequate punishment inflicted by the ordinary operation of law, and the force of moral restraints on crime being almost extinguished, shall we reject at once this measure as unworthy of consideration? You are asked how this measure can supply the defect of evidence. You are told that it is evidence, and evidence only, that is now wanted; and it is inquired of you, in a tone of triumph, "Do you mean to convict without the proofs of guilt? and, if not, how do you mean to procure those proofs?" I answer—By restoring confidence. Range yourselves on the side of order; lend the weight of your authority to the law; and from that hour you will instil confidence into the peaceable and well-disposed, and strike terror into the coward hearts (for they are cowards) of nightly assassins. Then will men breathe a new atmosphere. Then will the position of the friends of order and of its enemies be reversed; and those who suffer will come forth with voluntary testimony to aid the law, which gives them redress for past injury, and protects them from renewed wrong. But if you shrink from your duty—if you pause for a fortnight—if you cover your irresolution under the flimsy veil of requiring further time to consider, then take these consequences:—The contagion of depravity will rapidly extend; the places yet healthy will be infected; the whole land will become a moral wilderness, in which every principle of Government will be subverted, and every rule of justice reversed—in which there will be no punishment except for innocence, and no security except for triumphant guilt.

Mr. Ruthven, amidst general cries of "Question," moved the Adjournment of the Debate.

On the Question being put,

Lord *Althorp* said, that though he wished to give every opportunity for the discussion of the measure before the House, yet he did think that this would have been its utmost limit; in this opinion he was supported by many Gentlemen. He was, generally, very much averse to opposing a motion for adjournment, but he must say, that it was hardly possible to believe the Motion was, in the present instance, made for the sole purpose of discussing the Question. After three nights' debate on the first stage of the Bill, he certainly must consider the Motion in the light of an expedient for delay, and in that view must oppose it.

The House divided on the Motion for the Adjournment—Ayes 68; Noes 466: Majority 398.

Another division on the Motion, that this House do now adjourn, took place—Ayes 63; Noes 468: Majority 405.

List of the AYES.

Attwood, T.
Baldwin, H.
Baillie, J. E.
Barron, H. W.
Bayntun, Captain
Beauclerk, Major
Bellew, R. M.
Blackney, W.
Buckingham, J. S.
Bulwer, E. L.
Bulwer, H. L.
Butler, Hon. P.
Daunt, T. O.
Faithful, G.
Fancourt, Major C. St. John
Fielden, J.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Fitzsimon, N.
French, F.
Grattan, H.
Grote, G.
Gully, J.
Harvey, D. W.
Humphrey, J.
Ingilby, Sir W.
James, W.
Kinloch, G.
Lalor, P.
Langton, G.
Lynch, A. H.
Maclachlan, L.
Macnamara, Maj. W. N.
Molesworth, Sir W.
Nagle, Sir R.
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Connell, Morgan
O'Connor, D.
O'Dwyer, A. C.
O'Ferrall, R. M.
O'Reiley, W.
Philips, M.
Roche, D.
Roche, W.
Roe, J.
Roebuck, J. A.
Ronayne, D.
Rorke, J. H.
Ruthven, E.
Scholefield, J.
Sheil, R. L.
Stawell, Lieut.-Col.
Sullivan, R.
Tennyson, rt. hon. C.
Torrens, Lieut.-Col. R.
Tynte, C. K. K.
Tynte, C. J. K.
Vigors, N.
Wallace, R.
Warburton, H.
Williams, Colonel G.

TELLERS.

Hume, J,
Ruthven, E.

Debate resumed.

Mr. *John H. Lloyd* observed, that there could be no doubt that there were outrages committed in Ireland, and it was equally undoubted that they should be put down; but the question which the House had to determine was, whether such a measure as the proposed one was required for that purpose, and whether a due and vigorous administration of the existing laws would not amply suffice without its enactment. He contended that the case of a necessity for such an unconstitutional measure had not been made out by his Majesty's Government, and he maintained that the existing laws afforded sufficient means for restoring peace and good order in that distracted country. Let the Government and the constituted authorities only do their duty, and his Majesty's Ministers would have no occasion for those increased powers which it was proposed to give them by this Bill. He could point to an instance in which the vigorous execution of its duty on the part of the Government led to similar happy results in this country. In the year 1812 a general illegal organization took place throughout the manufacturing districts; the same system of intimidation that was now practised in Ireland was universally resorted to; the Magistrates shrunk from the performance of their duties; but one man came forward at his post, and, assisted by the vigorous exertions of the Government of that day, he effectually put down the disturbances and restored tranquillity. He objected to this measure altogether, but he especially objected to those military tribunals which would be constituted under it, and which were so liable to be perverted to the purposes of injustice and oppression. There was an intense feeling against the measure in England. He had been intrusted with a petition, numerously signed from his constituents, to present against it. [The hon. Member addressed the House for some time; but noise and cries of "Question," &c., prevented what he said from being heard.]

Mr. Baldwin moved the Adjournment of the Debate to Monday next.

Mr. Maurice O'Connell seconded the Motion.

Lord *Althorp* said, that the objection which he had made to the Motion of Adjournment, when it was made before, was, that it was not necessary for the House to adjourn at that early period of the night. He then certainly thought, that they might go on with the discussion some time longer, not that he at all wished to prevent those Gentlemen who might be desirous to address the House from speaking, but, because it appeared to him, that to adjourn a debate of this kind at an early hour every night before its conclusion would be productive of great delay and unnecessary inconvenience. He had not, however, the same objection to the Motion for Adjournment when it was brought forward, as it now was, at a more advanced hour of the night. An hon. friend behind him suggested, that it would be better to adjourn till to-morrow, but he thought, that upon the score of convenience alone that would be objectionable.

Debate adjourned till the following Monday.

Business of the House.] On the Motion, that the House do at its rising adjourn till Monday,

Sir *Robert Inglis* begged to ask the noble Lord what course he meant to pursue to get through the business of the House. Hitherto Irish subjects had occupied almost the uninterrupted attention of the House. He regretted that the time of the House should be frittered away, or that the confidence which both sides of the House were inclined to place in the noble Lord should be diminished by his yielding to the clamour which was raised on this question. He trusted, that no further procrastination would take place, and that on Monday the House would come to a conclusion on the subject without further adjournment.

Mr. *John Stanley* said, that having proposed an adjournment to to-morrow, he felt it right to say, that he hoped the Debate would be concluded on Monday. He trusted, that the Irish Members, who had occupied a considerable portion of the Debate, and to whom he admitted it was right, that a great share of time and attention should be conceded on a question in which they were so much interested, would not desire to defer the decision of the question longer. There would be many opportunities for them in the progress of the measure to state their objections to its details, but he trusted, that they would allow the House to come to a conclusion upon the question of the first reading on Monday.

Mr. *O'Dwyer* said, the hon. Baronet had taken upon him to school the Irish Members. He did not know what authority the hon. Baronet had to lecture independent Members, or to forbid them from defending the people against the aggressions of the Government—[*cries of* "*Oh, oh,*" *and* "*Question*"]. Question! Gentlemen might call question, and cry it in chorus, but that should not prevent him from speaking. Because the Government was supported by a party who had never before acted with them, was it to be endured, that independent Members, supported by the people, should be deterred from expressing their opinions or would forego their right of resisting to the last letter, or, to use the words of the right hon. Gentleman, to the death, of the question, this attack upon the liberties of Ireland, even by every subterfuge in their power.

Mr. *O'Connell* said, that setting aside the irritation which had been excited, there never was any thing more unfounded than the assertion that the Irish Members had consumed more than their adequate share of this Debate. How many had spoken? One, for a short time, on the first night; two on the second; and one on this night—only one Irish Member had spoken to-night. This was a question in which the Irish Members were deeply interested. To English Gentlemen it was a matter of judicial determination: they were the judges, and the Irish were the victims. Although the Irish Members rejoiced that so many English Gentlemen had interested themselves in their concerns, and taken part in the Debate, still they claimed as much for themselves; and they never would consent to the annihilation of the British Constitution in Ireland, without protesting against it, *in limine*, and convincing the House, if it was possible to convince it, that this measure ought not to pass into a law. If any one Gentleman were guilty of any trespass upon the legitimate time or patience of the House, let the censure fall upon him; or if more than one fell into that error, let them share the blame, and he was sure that they would not meet with countenance from their colleagues from that country. But if Irish Members kept themselves within the bounds of justice, and canvassed the measure with temper—as much temper as they could command upon a subject of such vast importance—he was sure that the hon. Gentleman opposite would hold them in great disregard if they surrendered their right to do so.

Mr. *Walker* addressing the House from one of the side galleries, observed that it came with an ill grace from an anti-Reformer, who had given every opposition in his power to the progress of the Reform Bill in that House to taunt Irish Members, because they endeavoured to prevent the extinction of the Constitution in their country.

Motion agreed to.

HOUSE OF LORDS,
Monday, March 4, 1833.

Minutes.] Petitions presented. By Lord King, from Scawby and Wedmore; by the Marquess of Lansdown, from Wareham; by Earl Grey, from Newcastle-upon-Tyne, Doncaster, and Moffatt; by the Earl of Beauchamp, from Lutterworth and Fenwick; and by the Earl of Roden, from Enniskillen, Mallow, and the Scotch Presbytery of Newcastle-upon-Tyne,—for the Abolition of Slavery.—By Earl Amherst, from St. George's, Hanover Square, for a more Equal Distribution of the Rate levied under the Metropolitan Police Act; and from the same, for Poor Laws (Ireland).—By the Bishop of Bristol, from Bristol; by Lord Saltoun, from Kirkintilloch; by the Earl of Rosebery, from Hallamshire and Dollar; by Earl Cawdor, from Auldearn; by Lord Wharncliffe, from Sheffield; by the Bishop of London, from Islington, St. Albans, and four other Places; by a Right Reverend Prelate, from Bridlington; by the Bishop of Bath and Wells, from Taunton; and by the Earl of Roden, from the Presbytery of Aberdeen and five other Places,—for the Better Observance of the Sabbath.—By the Earl of Rosebery, from Urquhart, to vest the Right of Electing Ministers of the Church of Scotland in all the resident Male Inhabitants in full communion with that Church.—By Lord Cloncurry, from Carrickmacross, against Coercive Measures for Ireland; for the Abolition of Tithes; and a Legislative Provision for the Destitute, the Infirm, and the Aged Population of Ireland; and by the same, from Donoughmore and Knocked, for the Abolition of Tithes.—By Earl Grey, from Clifton, Dartmouth, Hardness, and Townstall, for a participation in the Privileges of the Dartmouth Corporation; from Alnwick, that the Corporate Officers may be chosen by the Freemen; and from Leith, for Reform of the Burghs of Scotland, and the System of Taxation adopted in them.

HOUSE OF COMMONS,
Monday, March 4, 1833.

Minutes.] Papers ordered. On the Motion of Lord Ebrington, the Names of Military Governors and Deputy Governors of Garrisons, at Home and Abroad, with their Salaries.

Petitions presented. By Mr. Morison, from Ipswich, for the Repeal of the Duty on Soap.—By Mr. G. J. Heathcote, from Falkingham; by Colonel Scale, from Dartmouth; by Mr. Morison, from Ipswich; and by the Earl of Darlington, from Sheen, and five other Places,—for the Better Observance of the Sabbath.—By Lord John Russell, from Kingsbridge, Devon, for a Revision of the Criminal Code.—By Mr. Vernon Smith, from Brigstock, Northampton; and by Lord John Russell, from Cliffe Regis, Gildersome, and Axminster,—for the Abolition of Slavery.—By Mr. Tyrell, from Stow, for the Repeal of the Duty on Taxed Carts: and from Freeholders of Bury St. Edmund's, against transferring the Assizes from that Town to Ipswich; and by Earl Jermyn, from the Aldermen and Burgesses of the same Place to the same effect.—By Mr. Dobbin, from Armagh; and by Mr. Sheil, from Roscrea,—against Coercive Measures for Ireland.—By Mr. Sheil, from Clonoulty and Rossmore, for the Abolition of Tithes; and from Dublin, for the Revision of a part of the Reform Act.

Established Church in Wales.] Lord *Robert Grosvenor* presented a Petition from certain Inhabitants of the City of Chester, connected with the principality of Wales, praying an inquiry into the state of the Church Establishment in that part of the country. The noble Lord said, that although the petition was signed by only 100 of the inhabitants of that city, he believed it contained the sentiments not only of a majority of that city but of a large majority of the inhabitants of Wales generally. He trusted the House would allow him briefly to state what the petitioners complained of as grievances. He believed that it was pretty well known to most of those present, that the principality of Wales was divided into three districts, over which the spiritual jurisdiction was given to the Bishop of St. David's as to the southern districts, and over the northern districts the Bishops of Bangor and St. Asaph presided. In North and South Wales the situation and condition of the Church Establishment was very different, as in the north the church was rich, while in the south, on the contrary, it was rather poor. The petitioners complained that the great tithes were for the most part paid to the Bishops, Deans, and Chapters of St. Asaph, Lichfield and Coventry, and Chester, and that the livings were principally in the patronage of Bishops or laymen not connected with the principality of Wales, and the consequence was, that they were bestowed upon gentlemen (eligible certainly in point of education), the friends of the patrons, who had no feeling in common with the people, who did not even understand their language, and who did not confer upon them the boon of residence. The petitioners further stated that two-thirds of the small tithes were in the hands of rectors and other persons, from whom the people received no spiritual instruction. That duty was left to the Welsh curates—a body of men for whom he had the highest respect; but hon. Gentlemen must know that their education could not possibly be so good as such a responsible duty required. It was well known that they could expect from the Church no more than from 150*l.* to 200*l.* per annum—an expectation too limited to afford such an education as was requisite for the discharge of such a duty. It would naturally be supposed, that where the tithes produced something like a sum of 2,000*l.* per annum, the curate would be handsomely paid out of that; but, unfortunately, such was not the case. Few of them were in the receipt of more than 100*l.*, not more than 20*l.* of which came from the tithes, 40*l.* more of it was made up from fees, or, as was frequently the case, by being schoolmaster, and the remainder—that is, the same amount so raised—40*l.*, was made up from that much-abused trust called Queen Anne's bounty. So that the petitioners complained, that while such large sums of money were drawn for tithes, the curates were left unprovided for. They also complained that in fact they were taxed to make up those salaries which the rectors ought to pay, having only a few years ago been called upon to vote a sum of 14,000*l.* in order to make up that fund. With regard to South Wales, the tithes were principally held by laymen, and the consequence was, the prevalence, to an extraordinary extent, of pluralities and absenteeism. In one county, out of eighty benefices, there were only thirty in which there were resident clergymen. The curates were for the most part exceedingly ill off, and some of them were so ill paid that they were obliged to rent farms for their subsistence. Others, again, found themselves compelled to perform duty in several parishes, some of them in as many as four in one day, and, as a natural consequence, the service was very irregularly performed in those parishes. The petitioners stated, that the Bishops of St. Asaph and Bangor were much overpaid. He would not pretend to say what might be the extent of the remuneration deserved by the duty performed, but this, he would say, that nothing could be more pernicious than the manner in which their revenues were raised, viz., by attaching to them the incomes of many benefices, thereby depriving those benefices of the advantages they would otherwise enjoy. He thought he had now pretty nearly stated the amount of grievances complained of in the petition, but they did not ask for a Repeal of the Union. Yet they were as much, if not more, aggrieved than they would be by merely paying their tithes to clergymen of a different persuasion, for two-thirds of the tithes were paid into hands from whom they could receive no spiritual assistance of any kind. All they asked for, however, was justice, and for an inquiry to ascertain the amount of the revenues enjoyed by the clergy in Wales; and he trusted that his Majesty's Government would apply itself to redress the wrongs of a people distinguished alike for talent, courage, loyalty, and patience, not under the apprehension of danger, but under the guidance of the still small voice of justice. The minds of the Welsh people had been much alienated from the Established Church, by the abuses which prevailed in it. When he stated that out of 2,200 places of worship in Wales, little more than one-third belonged to the Established Church, the well-wishers of that Church would see that it was high time to check the abuses which prevailed in it. He begged pardon for having so long taken up the attention of the House upon this subject, but when it was considered that he advocated the cause of a class of people but little able to protect themselves, he doubted not the House would readily grant him the pardon he prayed.

Mr. *C. W. Wynn* said, highly as he respected his neighbours in the city of Chester, he thought the complaints of grievances in Wales, if any such could be made, would come with a better grace from the parties who resided in Wales, and who experienced those grievances; at the same time he must agree that it was open to every member of the Established Church to state any circumstances which he might think were prejudicial to that Establishment. Those persons, though not personally affected by the existence of the alleged evils, were not precluded from laying them before the House; but, at the same time, it was extraordinary that these alleged evils had not been before complained of rather by the inhabitants of Wales than by those of Chester. It was perfectly true, that in the dioceses which had been made, in the diocess of St. Asaph, for instance, the tithes which previously belonged to the monasteries, (as in many parts of the kingdom) were, at the Reformation, given to other ecclesiastical bodies, such as the deans and chapters of St. Asaph, of Winchester, of Westminster, and to colleges in both Universities. In other cases, the tithes were vested in private individuals; but, in this respect, the people of Wales were not worse off than others. Tithes, so vested, had for a period of 300 years, been matters of purchase and sale; and the property was held in the same manner as if it were land. But his noble friend was mistaken in one part of his statement, in which he observed, that there were instances in which non-resident incumbents, and of curates who did the duty, being paid out of Queen Ann's Bounty. Such could not be the fact, as that fund was confined to the augmentation of small benefices, and could not be applied to stipendiary curacies. With respect to non-residence, it was a very great evil, which it was the bounden duty of Parliament, in every way in its power, to put a stop to. He had been always anxious to support measures to compel the residence of incumbents; but such attempts had too frequently been thwarted by conflicting interests. Persons having purchased the patronage of two livings, and wishing to provide for a son or a brother, had contended for the right to appoint the same person to the two livings. Upon examining the Returns which had been laid before Parliament on this subject, it gave him great pleasure to find, that there were fewer non-residents in the diocess of St. Asaph, than in most of the other diocesses, and he owed it to the character of a most excellent man to state an honourable instance in which a reverend Prelate refused to grant two livings to any one person. He alluded to Dr. Cleaver; who, when he first became the Diocean of St. Asaph, had said to him: "I have laid down a rule that I will not grant two cures of souls to one man. I have two sons in the Church; and I have stated to them distinctly, that they may have the choice of the best English livings my patronage can give. The best single English livings I will of course give to them; and if I refuse to give them more than one living, no person can think that I am acting unkindly by them in refusing to give more than one cure of souls to one person." He regretted that this had not been the constant practice of other Bishops, who thought themselves justified in bestowing more than one living on the same individual. He was certainly not prepared to deny the propriety of the complaint which was urged in respect to the want of knowledge of the Welsh language on the part of incumbents, in some instances; but he believed that this great abuse had been, for some years past, materially lessened, in consequence of the resistance which was made on the part of a parish to such an appointment, as illegal. In some parishes in Wales in which the English language was wholly or at least principally used, the Welsh language was not a necessary qualification. There were, however, parishes in which there is a mixed population, and where the duty was alternately performed in the two languages. In these it was very usual to appoint an English clergyman, assisted by a Welsh curate, but such appointments were not satisfactory. On the contrary, the clergy ought to understand the Welsh language, otherwise they could not efficiently discharge many of the duties which devolve upon them; and one of which was as important as that of performing the Church service on a Sunday—he meant visiting the sick, and ministering to their spiritual wants and comforts. The noble Lord stated, that there were in Wales 2,200 places of worship, of which not one-third belonged to the Church of England; that was to say, that the majority of these chapels were frequented and supported by Dissenters. That evil did not owe its origin to any remissness on the part of the ministers of the Church. The parishes in Wales were very extensive, and in some cases many of the parishioners were above four miles distant from the church. Chapels and places of worship, according to the Established Church, could not be legally founded without endowments; and it was impossible to make endowments sufficient for the support of a church for a scattered and indigent population at such inconvenient distances. Dissenting meeting houses served by occasional preachers were far more easily constructed. Was it then to be wondered at that the people gave a preference to a chapel near their own doors, rather than go three miles to attend worship? Perhaps the best way to remove the evil complained of, would be to adopt a plan which had been sometimes suggested; of reviving some of the inferior orders of the Church, and licensing persons, of the rank of parish clerks, to read in any convenient place of meeting, the prayers of the Church of England, and a homily, or sermon from a collection to be published by authority, but not to empower them to preach from their own composition. This he had reason to know had in some instances, been done, irregularly, but to the advantage of those who otherwise would have had no opportunity of attending the service of the Established Church.

Mr. *Wilbraham* was desirous of making a few observations on this occasion, as he had been particularly requested by many of his friends in Wales to do so. The petition came from persons, like himself, friends to the Church of England, who did not wish to take advantage of her imperfections, but rather to see them cured. He considered the picture, however, which it drew of the state of the church of England in Wales to be over-coloured. It was most important that the House should thoroughly understand that the Welsh Bishops did not understand the language of the country over which they presided: and it was impossible they could perform their duties without a knowledge of such language. There had also been an exclusive system of appointing Englishmen to be Welsh Bishops. There had not been an instance of a native Welshman being appointed a Bishop since the reign of the Hanoverian Family. This was a state of things that ought not to have so long existed. It could not be said, that the reason was, that the Welsh were not capable of being appointed to the Bishops' Bench, because there had been several instances of Welshmen having translated the Bible into their native language, and of having shown acquirements calculated to entitle them to any situation, however high. If a knowledge of the language was not to be required of the Bishops, at all events no man could deny that the clergy at large ought to possess it. It had been declared by one of them that it was repugnant to the will of God that any person should presume to preach to the people in a language not known to them. The cure of souls without that knowledge was unintelligible to him. According to the system that had been pursued, he knew not what was meant by it. As to sinecures. or pluralities he knew, that one gentleman in North Wales was in possession of no less than eleven pieces of preferment—nine livings and two preferments that involved no duty. There were, he was sorry to say, two religions—one for the rich, and another for the poor—one for the Aristocracy, and another for the natives of the country—one for the Cambro-Briton, the other for their Saxon masters. Such a Church, he did not hesitate to say, drove from its bosom a vast body of people, who would otherwise feel in no way disinclined to adopt its tenets.

Mr. *Finn* would not have risen had it not been that the noble Lord introduced the question of Repeal of the Union. He had said, that in the principality of Wales you have absentee Bishops and clergymen, and why in Ireland should you not have absentee landlords? In Wales, at least, one-third of the people belonged to the Establishment; but in Ireland not one sixteenth belonged to it. In Ireland they had an absentee Legislature, and an absentee proprietary, drawing upwards of 5,000,000*l.* annually from the people.

Earl *Jermyn* rose to order. The Church of Ireland, or the absentee Legislature of Ireland, had nothing whatever to do with the Welsh Church. If discussions of that sort were permitted, the presentation of petitions would be utterly excluded, and the time of the House would be occupied with nothing else.

Mr. *Finn* had only risen to answer the observations of the noble Lord.

The *Speaker* observed, that the remark of the noble Lord was not only unquestionably correct, according to the rules of the House, but the observance of the rule was absolutely necessary to the progress of its business. The observations of hon. Members should have reference to the subject before the House. Whether the illustration which had been made by the noble Lord was apt or not, he was not called upon to decide. He trusted, that the hon. Member, after what had been stated, would not pursue his observations with respect to Ireland.

Mr. *Finn* said, he would confine himself to the question as laid down. Where there was true religion, and a love for any particular form of worship, its supporters would never seek assistance from the State. As a striking instance of what he said, let them look at his own country, where the people, impoverished and burthened as they were, erected places of worship in abundance without one shilling of help. They might pull down religion by riches, but they would never build it up by such means. Wealth was at the best but a bad auxiliary, and the alliance of Church and State an adulterous one.

Sir *John Wrottesley* considered, that the great evil which prevailed in the Church was non-residence. On this subject there was a great anxiety throughout the whole country, and he, therefore, trusted, that the present Session would not pass over without some means being adopted for insisting upon the clergy residing in their own cures, and effectually doing their duty. In demanding that, he required nothing new, for by an Act of Henry 8th, parishioners were empowered to enforce the residence of their clergyman, and what he wished was, to bring back that state of things. A most improvident Act was passed in the reign of Geo. 3rd, merely because it was found to press severely on clergymen who had large families and small livings. That Act, instead of insisting upon and enforcing residence, in some cases legalized it, and placed the whole of the power in the hands of the Bishops, who, he hoped, used it well and properly; but he was much afraid they too often allowed themselves to be led away by their kindness of heart. He hoped, that in any measure regarding non-residence, those persons who were most interested in the question, the parishioners, would have the power of enforcing that which was their right—the residence of their pastor.

Mr. *Cobbett* had not been inattentive to the present discussion, nor was he when the Act passed, to which the hon. Baronet had alluded. When that Act passed, he had warned the country, that, in a few years, it would prove the ruin of the Church. The Act was brought in by Lord Stowell, then Sir William Scott, who was member for one of the Universities, and he did that at the call of his constituents, in order to relieve them from between 700 and 800 informations which had been laid against them for non-residence under the 13th of the reign of Elizabeth. He had a notice of a motion on the books of the House, for a Return of the exact number of actions thus quashed by this law, which he considered one of the most unjust Acts ever passed by any legislative assembly. Such was, in fact, the number of informations that was quashed by that most infamous Act—infamous it certainly was, for it was a *post facto* law, by which the informer lost not only his time, but a large sum of money. For his own part, his attachment to the Established Church was not to be questioned, for he had a certificate of it from a Bishop. Yes, the Bishop of Salisbury, in a pamphlet he published in 1813, stated that he knew of no lay writer who was a friend to the Established Church. In the second edition, however, he said, in a note, I beg Mr. Cobbett's pardon, for I do believe him to be a friend to the Established Church. Having this under the hand of a Bishop, he need not put forward any professions of attachment to the Church. The consequence of the passing of the Act to which he alluded had been the indefinite multiplication of non-resident clergymen. But the Act, besides, repealed the 13th of Elizabeth, one of much importance, which prevented the clergy from renting farms in the parishes of their several benefices; and also prevented them from trafficking, that is, buying and selling the same thing for a profit. It relieved them from all those shackles, and enabled them, by the permission of the Bishops, to be traffickers, and to rent farms in their own parishes, thereby enabling them to take many unfair advantages of their parishioners. He did not mean to impute any improper motive or neglect of duty to the hon. Baronet who had just spoken, but he must observe, that he was in the House when this Act passed. [Sir *John Wrottesley* said, he did not anticipate these effects.] He dared to say the hon. Baronet did not, but one of its effects had been, that out of ten thousand benefices, there were only 4,000 that had regular incumbents. The consequence was, that everywhere, as the hon. Gentleman had said, people were quitting the Established Church. Another effect had been, that since then the clergy had become traffickers and renting farmers, and had fallen very much in public estimation. Indeed, he had said before many times, and said now, that if he wanted a good jobber to go to a fair for him to buy or sell sheep, or to go pig-poking, or anything of that kind, there was nothing like a parson. The noble Lord had, in the petition just presented, brought forward quite evidence enough to justify the House in imposing some check to the present system—indeed, in making some great change. He knew that a great change might be made without injury to the religion of the Church. He had seen the Church of England in America, and admired its management there. There were Bishops and clergy, and he never knew an instance of parishioners giving their clergyman less than 400*l.* per annum; and it was impossible that any clergy could be more respected and beloved. Indeed, the clergy of the Church of England in America commanded a much greater share of obedience than the clergy in England. Now, why should they not have a Church Establishment like that of the Church of England in America? Certain he was, that we should never go on right in this country, till the whole system of tithing, and of the Church Establishment, should be totally altered.

An *Hon. Member* begged, in reference to what had fallen from the hon. member for Kilkenny, to assure him that there was not a more religious or a more loyal people than the population of Wales. They had built about 1,400 chapels in North and South Wales—there were altogether in Wales about 2,200 places of worship, of which about 1,400 belonged to Dissenters. As to the mode of collecting tithes, that was, in his opinion, a very great grievance, but the inhabitants of Wales generally placed the fullest reliance on his Majesty's Government, and looked to them for accomplishing such a Reform as would give general satisfaction.

Mr. *Estcourt* rose to complain of the observations addressed to the House by the hon. member for Oldham. A petition had been presented, relative to the mode of performing the Church service in Wales, and the hon. Member had taken advantage of that to refer to a subject not before the House. He protested against that sort of application of the hon. Member's ingenuity; and he cautioned the House against countenancing any such statements. That hon. Member would have the House believe, that of 10,000 benefices in England, there were but 4,000 resident incumbents. He (Mr. Estcourt) did not recollect what the Returns were, and therefore he was not prepared to deny that statement; but he put it to the observation of hon. Members, whether they believed there were such a number of non-resident clergymen. As far as had fallen under his own observation, he was persuaded that the assertion was not true. He knew that the Bench of Bishops were most earnest in enforcing residence, and therefore the insinuation that the Bishops had put a very convenient construction on the Act of Parliament was unfounded. The hon. Member might perhaps be able to put his finger upon some particular parish, where no clergyman resided, but the general fact was not as he had stated it. If the hon. Member would adopt the only proper course, and give notice of Motion upon the subject, he (Mr. Estcourt) would come down prepared with documents to show that the hon. Member's statement was not correct.

Mr. *Cutlar Fergusson* said, that statements of facts had been made in that House which a regard to correctness ought to have prevented. They ought never to have been hazarded without better grounds. He hoped the hon. member for Oldham would abstain, for the future, from making statements to the House without making himself satisfied of their correctness. He (Mr. Fergusson) was quite convinced, that it would be more consistent with that hon. Member's own dignity, as well as with his character in that House, if he would ascertain the correctness of every fact before he brought such subjects as he frequently indulged in under the notice of the House. Upon a former evening, when the member for Oldham brought forward a motion on the subject of the Stamp Acts, he stated the most atrocious facts, which had no foundation in truth, and which he (Mr. Fergusson) had the honour at the time to controvert. The facts also which the hon. Member affirmed respecting the Jews were of the most atrocious nature. He had since taken an opportunity of communicating with the chief Rabbi of the Jews on that subject, and the result was, that he was empowered to say, that the statements hazarded by the hon. member for Oldham were utterly without foundation.

Lord *Althorp* said, that already during the discussion one hon. Member had been called to order for adverting to a subject not before the House, and he put it to the hon. Member, whether in bringing forward any observations respecting the Jews, he thought they had anything to do with the petition they were now discussing?

Mr. *C. W. Wynn* explained, that what was meant by a sinecure rectory was, that a rectory was separate from a vicarage. The rector was sometimes a layman, with no ecclesiastical duties to perform, and therefore there could be no benefit in enforcing residence regarding him, for if it were enforced he could not perform any duties.

Mr. *Sanford* would take that opportunity of inquiring if it was the intention of his Majesty's Ministers to do anything on the subject of the non-residence of clergy?

Lord *Althorp* said, that various questions relating to a Reform in the Church of

England were under the consideration of his Majesty's Government, and the subjects of non-residence and pluralities were included in the consideration; indeed, on this particular part of the case, he believed, Ministers would be enabled to bring in a Bill in the course of the present Session.

Lord *Robert Grosvenor* thought it very objectionable, that when a parish was paying 2,000*l.* or 3,000*l.* a year, to a lay impropriator, the country should still be taxed in respect to that parish. He could tell the right hon. Gentleman opposite that in Bangor non-residence existed to a very great degree, and particularly in the Isle of Anglesey.

Mr. *Cobbett* said, the hon. member for the University of Oxford had declared, that he had mis-stated a fact about the non-residence of the clergy. Now he spoke from the return. He said, that out of 10,000 parishes and upwards, in England and Wales, there were but 4,000 that had resident incumbencies. He might have added, that, in nearly 300 parishes in England and Wales, the churches had been suffered to fall down, and he might have gone on to have added that the clergy still continued to receive the tithes from those parishes.

Observance of the Sabbath.] Captain Spencer presented a Petition from Midhurst, praying for the Better Observance of the Sabbath.

Sir *John Wrottesley* was sure that it was impossible to leave this subject now without some legislative enactment; but he hoped that enactment would not be such an extension of law as to prevent its being carried into execution. He hoped, that those who might prepare the Bill, would take care to introduce such provisions as would meet with the general concurrence of the people of this country, without which it would be impossible to have any effective law on the subject. He saw no reason why public-houses, for instance, should be open from twelve o'clock on Saturday night till one on Sunday morning. After one on the Sunday, his opinion was, that public-houses might be perfectly free to entertain persons in all the large towns who were in the habit of conducting themselves properly.

Mr. *Cobbett* said, this was a question very intimately connected with what they had previously been considering. By the returns it would be seen, that there were between 200 and 300 parishes in England and Wales, where the churches had been allowed to fall to the ground; upwards of 200 parishes where there were no churches; and, of course, where there were no churches there could be no service; but from those parishes the incumbents took especial care to draw the tithes. A great talk was made about the better observance of the Sabbath: would not this be the best plan to ensure it — to have worship regularly in every parish? If there were no service in a parish, what were the people to do? Why, they must either go to a methodist chapel or go nowhere. Another matter was worth attention. There were in England and Wales, in defiance of the law, in the very teeth of the law, 1,500 parishes, in which there were no parsons' houses. Now, the law says, that there shall be one in every parish, and is even so very strict, that much wrong is often done about the dilapidations; yet the law is never enforced, or enforced so badly, that as the Returns will show, there are upwards of 1,500 parishes, in which not the vestige of a parson's house is to be seen. Thus the shepherds abandoned their flocks, but they took especial care that they did not abandon the wool—they regularly gathered it. In the language of Ezekiel, it might well be said: "Woe be to the shepherds," not of Israel, but of England, Ireland, and Wales, "that do feed themselves! Should not the shepherds feed the flocks? Ye eat the fat, and ye clothe ye with the wool, ye kill them that are fed, but ye feed not the flock." And should they not be punished? Yes, they should; for very soon must Parliament take from them the fleece and the fat. Not much longer would they have the fat and the fleece to live upon, and that would be to them a sore punishment.

Sir *Harry Verney* observed, that he could not allow the present opportunity to pass, without stating, that in order to give confidence to the country on the subject now under consideration, the principle ought to be stated on which the House was prepared to legislate on this subject. That principle ought to be that which every good christian would advocate—namely, the due observance of the Sabbath. However much the dissenting clergy might be valued, he felt no hesitation in saying, that the clergy of the Church of England were the most valuable class of persons in the country. A pious clergyman living among his parishioners, and feeding his flock, not only taking their wool, but giving them religious sustenance, belonged to a most valuable and important class. In all parts of England where he had been, where a clergyman lived among his parishioners, he did more to preserve order in society than any other person.

Mr. *Harvey* did not intend to occupy the House many minutes, the question involved so many important considerations as to render it impossible properly to discuss it at the present moment. He had, however, heard some observations which he felt compelled to notice: the remarks which had been made with respect to the dissenters, by the hon. member for Oldham, he could not allow to pass without entering his protest against them. That hon. Member had stated, that where there was no church the inhabitants either frequented the public-house, or went to the methodist chapel, as if it was little more than an alternative of evils. He attached great importance to these incidental discussions, as opening the eyes of the public and of the House to the principle of Church Establishments. He was surprised the other night, at the manner in which Gentlemen received an observation he had made upon that subject. It appeared as if they did not understand the great distinction between the Church and an establishment. An establishment might be Christian or Mahometan. All establishments were intended to support a particular system of religion, and might be abolished or not, as the State thought fit. But the Church, in its large and scriptural sense, meant the Christian religion, and would stand if the Establishment were done away with, and tithes abolished. If the Christian Church were thrown upon the good feeling and spiritual desire of the nation, if it were dispensed from all earthly rights, he conscientiously believed, that it would be supported as well as, or better than, it was now. The experience of all ages proved, that from the earliest dawn of Christianity to the present hour, it had flourished in greater purity and vigour when unconnected with the State, than when supported by it.

Sir *Harry Verney* wished it to be understood, that he had not meant to speak in terms of disrespect of the dissenters, but merely when there was an evident attempt to depreciate the services of the Church of England, to defend its ministers.

Petition laid on the Table.

Dartmouth Corporation.] Colonel *Seale* presented a Petition from Dartmouth, praying for an inquiry into the state of the Corporation. They stated that by a charter of King Edward 3rd. the burgessses were invested with the right of choosing the Mayor. They conceived burgesses meant inhabitant householders, but their privileges had been usurped by a select few. The corporate body were forty in number, and self-elected; they possessed considerable property in the borough, and they gave no public account of the management of their funds, although, by the records of the Corporation it appeared, that accounts were formerly made up annually. The petitioners described the importance of the harbour of Dartmouth to commerce, and asserted that it was the most safe of any on that coast, between Portsmouth and Plymouth. They prayed the House to incorporate the inhabitant householders within the district which by the great measure of Reform was constituted the borough for the purpose of electing Members of Parliament, giving them a full share in the election of the officers of the Corporation. They were of opinion that they were all justly entitled to the rights and privileges which were now enjoyed by the existing Corporation. He was instructed to say, that the inhabitants felt the greatest gratitude to Ministers for the great measure of Reform, by which they considered that an act of justice had been done to them; but they assured the House that that great measure would not be complete, unless the franchise in Corporations were extended to all municipal elections.

On the Petition being read,

Mr. *Bulteel* stated, that he was requested by a numerous body of the inhabitants of Dartmouth, to support its prayer. He trusted the petitioners would fully participate in the advantages that had been promised them by the Reform Bill. The inhabitants had hitherto been divided into two parties, and he assured the House that any alteration would benefit the town, and could not make it worse.

Lord *John Russell* said, he had been requested to support the prayer of the petition. After what had already been said upon the subject, he would say no more than that he fully concurred in its prayer.

An *Hon. Member* well acquainted with the Corporation of Dartmouth, had no hesitation in saying, that it was one of the most corrupt in Britain; and that a very strong feeling prevailed among the inhabitants against the system: so much so, that were a riot unfortunately to arise in that town, they would not go out with the corporate officers. He cordially supported the prayer of the petition, and hoped soon to see a Bill introduced which would put an end to a system so odious.

Petition referred to the Committee on Corporations.

BOROUGH OF WINDSOR.] Mr. *Sheil* presented a Petition from 155 of the electors of New Windsor, praying the House to prevent the officers of his Majesty's establishment from interfering in any way whatever with the freedom of election. The petition stated facts which were well deserving the attention of the House. It stated, that at the last election the freedom of election had been grossly abused by the interference and influence of his Majesty's Household Officers, compelling persons dependent on his Majesty to vote for a person named by them. That Sir Frederick Watson and different officers of the Household appeared at the last election, and did all in their power for the purpose of influencing electors—that by their undue promises of their influence from their situation, they induced many persons to vote for Sir Samuel J. B. Pechell. They (the officers) stated, that Sir John was a personal friend of his Majesty, and that it was necessary they should vote for him, &c. Persons had been sent from Brighton to vote for this individual, and it was alleged that the Earl of Belfast, one of the Household, had attended in the hall, to see that they did so vote. He (Mr. Sheil) had apprized Lord Belfast that his name was introduced into the Petition, and had requested him to name the subject to Sir John Pechell. Lord Belfast had stated, that he was certainly at the election, but that he went there only from motives of curiosity. The petition was not signed by persons who were wholly undeserving of regard, for it was signed by 155 persons, all of them voters.

Lord *Althorp* said, he spoke in great ignorance of the subject, but he should really hope that no improper interference whatever had been used. Every one knew that in elections, when persons connected with candidates canvassed, it was often the case that the disappointed party attributed an improper interference in favour of the successful candidates. He was aware of Lord Belfast's name being introduced into the petition, but he was not aware of any other part of it. Lord Belfast was present at the election merely from curiosity, and not for the purpose of influence.

Lord *William Lennox* said, a petition had been presented against the return for Windsor, and afterwards withdrawn. It appeared to him rather extraordinary that it should have been withdrawn if the statement contained in the present petition was true.

The Petition ordered to lie upon the Table.

SUPPRESSION OF DISTURBANCES (IRELAND)—ADJOURNED DEBATE.] On the Motion, that the Order of the Day for resuming the debate on the Suppression of Disturbances (Ireland) Bill be read,

Lord *Howick* said, that before the debate was resumed, he wished to take that opportunity of setting right a misunderstanding that had gone abroad in consequence of the speech of the hon. and learned member for Bridport, delivered on a former evening. That hon. and learned Member had read a passage from a journal of Sir Samuel Romilly's to show, that in the year 1807 the Government of that day had been prepared to bring in an Insurrection Act for Ireland, which they did not think proper to mention to the then law officers of the Crown; and it was understood, that one of the reasons on which the hon. and learned member for Bridport did not think fit to give his support to the Government on the present Bill was, that two of the Members of the Government of that day were now in office. He (Lord Howick) believed that that was a misunderstanding of what had fallen from the hon. and learned Member, but at all events, it was right, that the House should know what were the circumstances alluded to. It was perfectly true, that an Act for the Suppression of Insurrection in Ireland was in the contemplation of the Government of that day—that a Bill for that purpose was drawn up in Ireland, and was submitted to and approved by Mr. Grattan. It was then sent to this country, which it reached only a few days before the Government of that time was broken up. The draft of the Bill was sent to the Secretary of State for the Home Department, but just at that moment began those discussions which ended in the breaking up of the Government. It so happened that his father, who then represented the Government in that House, had actually received the draft of the Bill, but had not had time to read it. It was fit that this circumstance should be known, in order that the impression which had been created that a Bill of that kind had been concealed from the Attorney and Solicitor General of that day should be removed. The fact was, that the Bill was not in a fit state to submit to the Cabinet, and consequently had not been placed before the law officers of the Crown.

Mr. *Romilly* thanked the noble Lord for the opportunity thus given him of correcting the misapprehension which it appeared had occurred with respect to what fell from him on a former occasion. The embarrassment he felt at addressing the House for the first time, rendered it impossible for him to be sure as to the expressions he used, but he was quite sure what his intention was. It was not to create such an impression as that of which the noble Lord had spoken. The mode in which he had introduced the subject was as an argument in answer to the remark that this Bill could not be drawn into a precedent, with regard to which he had observed, that he did not think this measure itself would have been introduced but for the example which was set in 1807, and that there were now two Members of the Government who on that occasion had likewise been members of the Government. Nothing was further from his intention than to cast any blame on the Members of the Government of 1806; and if, by what he had said, that impression was created, he was quite sure he had no intention of creating it, for if he could have had such an intention he should have been acting quite contrary to the feelings of the author of the passage, who, to the last day of his life, had entertained the strongest feelings of respect and friendship for the two Members of the Cabinet alluded to—feelings in which he (Mr. Romilly) then and now fully participated.

Mr. *Baldwin* rose to continue the adjourned debate. The explanation which they had just heard given, had no doubt given great satisfaction to the noble Lord opposite; but it had given him none, for, whatever were the feelings of respect which the hon. and learned Gentleman testified to the individuals alluded to, it was impossible to forget that they were two of the Government, that in 1807 were ready to propose an Insurrection Act for Ireland, and that now brought in this tyrannical measure. It was impossible, too, that he could fail to observe (and this circumstance did gratify him) that so good, so great, and so eminent a man as Sir Samuel Romilly had been opposed to the Insurrection Act, and that in that great man's mind, it made no difference whether the Act was proposed by his colleagues in office or not. To Irishmen it was no matter of consolation that the hon. and learned Member should talk of his feelings of respect for the noble Lord at the head of the Government, for it was impossible to forget what he now proposed to do, and recollecting that, he could not entertain feelings of respect, similar to those professed by the hon. member for Bridport, though, when he first entered that House, no one possessed them so strongly as he did. He had told his constituents that he believed he should only find himself opposed to the noble Lord on the question of the Repeal of the Union. He had felt, too, the greatest respect for the noble Lord opposite (Lord Althorp), but he must confess, that the Bill which he now held in his hand was so direct a violation of the rights of man (he hoped he was not using language not recognized in that House nor by the Constitution, for he did not mean to speak in a revolutionary manner, nor contrary to law), but it was so direct a violation of the rights of man, and its enactments were so unjust and so uncalled for, that no individual should have his support who could bring in such a measure. The noble Lord (Lord Althorp) was well known to possess great kindness of disposition but it would seem that by some fatuity some unaccountable self-forgetfulness, he had been induced to give his respected name to a Bill which would excite throughout the country a degree of agitation, that no healing measures could afterwards appease. The present Bill, too, he thought, came with a very bad grace from a man, who, a few months since, had so strongly pressed forward the Reform Bill, on the ground that the people did not possess the rights they ought to have. Why were the Irish people to see military tribunals established in their country, instead of the ordinary administration of the law? Why was the old example of France, in former times, to be thus imitated? Were Ministers aware of the probable consequences of their own Act? The men who sat upon these tribunals in Ireland, and thus became familiarized with military law taking the place of the law of the land, would be ready instruments, on future occasions, to sit on military tribunals in Great Britain. He warned the people of Great Britain against the example. If the noble Lord still continued to think that the power of such a military tribunal was necessary—

if his enlightened and benevolent mind continued to retain the conviction that such a measure of severity was still to be dealt out to the unhappy people of Ireland, then he was not the noble Lord the world had hitherto taken him to be—he was not that high-minded and virtuous man which he had hitherto imagined, and which society at large was willing to believe the noble Lord to be. He could not, therefore, refrain from expressing a hope that the noble Lord would re-consider a proposition so adverse to the peace and the well-being of the Irish, and so diametrically opposed to every principle of sound policy and even of common justice—a measure not merely injurious and oppressive as respected the Irish, but inconsistent with the character of the noble Lord himself, and with the dignified position which he had hitherto maintained in the political world. Let him only reflect on the dangerous proposition then under the consideration of the House, and save his reputation before it became too late, else the laurels he had won in the past years of his contests for freedom would be tarnished, and his name become a term of reproach, whenever political character happened to be mentioned. The condition of Ireland had been referred to by some hon. Members as a reason to sustain such a measure as the present; and the right hon. Baronet who had addressed the House with so much effect on Friday, had referred to that condition, as affording a justification of a measure which no impartial or intelligent man could suppose admitted of any justification. Now, he would rest the issue upon this question—had or had not the ordinary means of attaining justice been resorted to, and had such an experiment been tried and failed? If so, a British Ministry, acting upon British principles of freedom, would not stand under the ban of such deep condemnation as they must do, if it were true, as unquestionably it was, that no such experiment had ever been even mentioned, much less tried by them. Would not the independent portion of that House feel, that in omitting to give to the Irish people that species of fair play, the Irish Government had been guilty of the very grossest neglect? And was the noble Lord or his supporters prepared to say, that the country should be punished on account of their neglect? Was Ireland to be hunted out of the pale of all civilization—of all law—of all constitutional right—of the fair and equal distribution of justice to which the most degraded of mankind were entitled, merely because the Government, which, to her great misfortune, had been placed in authority over her, was guilty of a neglect, for which they, and not the people deserved to be punished? The noble Lord had himself admitted, that the disturbances which were said to have made that measure necessary, were confined to a few counties of Leinster—there was nothing to be found in the other parts of Ireland which could at all warrant a proceeding of such strong coercion. Now the noble Lord had, by the measure itself, recognized the principle, that one part of the Empire might be legislated for without reference to the other parts; for he took out Ireland, and proposed to subject that unhappy land to the provisions of an Act, to the oppression of which the remotest ages and the most barbarous countries could furnish no parallel. Well, if he might do that with respect to a large portion of the Empire, it was perfectly competent to him to do so with respect to a smaller portion. What was there, he should be glad to learn, that prevented the noble Lord from bringing in a Bill that should only extend to the disturbed counties, and to them alone? The inconsistency and the injustice were monstrous, of applying the law to the whole island, when confessedly a large proportion of it was in a state of the most perfect tranquillity. He was aware that every portion of an argument of that nature would be met by the assertion that the political state of Ireland and the condition of society rendered such coercion not a matter of choice but of necessity. What, had there not been disturbances in England, and that very recently too? He happened to have been in England at the time when the present Administration came into office, and he had the pain of witnessing scenes of incendiarism in various parts of the country, and to have read of many more; but had there been any attempt to put an end to those crimes by means of such a measure as the present? On the contrary, that very course was adopted in reference to England which was not tried for Ireland, but which, if tried, he entertained not the slightest doubt would be attended with the most signal success—he alluded to the sending down of Special Commissions into the disturbed districts. The reason of the different treatment applied to the two countries was so apparent, that no man possessing the use of his understanding could be blind to the motives which led to the distinction—Ireland was treated not as an integral part of the Empire, but as a conquered province. Had such a measure been proposed two years ago in reference to England as was now before them against Ireland, the English Members would have shuddered at the bare mention of such a step in legislation, or rather, he should say, in the destruction of all law, and the abrogation of every thing like justice. For England there was no military tribunal—on Ireland, almost without a hearing, Martial Law was to be instantly inflicted. In England an experiment had been tried before extreme measures were resorted to—in Ireland not even the semblance of an experiment was attempted, but the sentence of condemnation pronounced with a promptitude and a recklessness for which a warrant could in vain be sought in any verified facts, or in any sound principle of policy. The right hon. Baronet, the member for Tamworth, in one of the most brilliant—one of the most persuasive, but at the same time one of the most artful speeches ever delivered within the walls of Parliament, had endeavoured to show, that the circumstances of Ireland did present some justification for that which he should not hesitate to describe as a grievous departure from every principle of constitutional right. Yes, the right hon. Baronet laboured, and not without great success of a certain kind, to show that his Majesty's Ministers might find in the present state of Ireland some justification of the course which they were pursuing. Let the Ministers beware of such hollow support—let them distrust their own measures when they found them supported by such advocacy as that of the right hon. member for Tamworth. Could they be so short-sighted as not to see in that support a deep design of entrapping them into harsher measures than ever the right hon. Baronet had himself perpetrated when in power? And by such means it was evident that that artful statesman sought to inflict a stain upon the character of his political opponents, which in the warfare of party, he might afterwards render subservient to his own purposes. That right hon. Baronet had made large sacrifices for the accomplishment of a great end, upon an occasion that must be fresh in the recollection of all who heard him. He differed from his constituents—he severed himself from his party—he made abler speeches in support of liberal principles than he had ever before uttered against them. He had thus gained the good opinion of many; but the advantages thus accruing he flung to the winds by his declaration on the subject of Reform. Reform, however, had been carried in despite of his opposition; and knowing him as they did, could they suppose he meant well towards them, when the adoption of his counsels would but plunge them deeper in the very courses which they had so often and so severely censured him for pursuing and which had at length cost him his place. That view of his conduct would be much strengthened, if they only took the trouble to examine the reasoning—if reasoning it could be called—of the right hon. Baronet's speech. A tissue of more cunning and ingenious sophisms it had never fallen to his lot to hear, and more especially in those portions of his speech in which he talked of the superabundant population, in which he abused the landlords and defended the Church. But the most remarkable inconsistency in his speech was that in which he in one and the same breath advocated the Bill, and admitted that it was no remedy for the evils at present existing in Ireland. Was there any hon. Member in that House, possessing the slightest degree of penetration who did not see, that the Ex-ministers rejoiced at the proposal of the measure which the present advisers of the Crown had so unwisely been induced to bring forward? It was abundantly clear, that the late Administration and their supporters would give their treacherous assistance in carrying it through both Houses of Parliament. Noble Lords and right hon. Gentlemen who now occupied the Treasury Bench should remember that they had been placed there by the voice of the people. Were they prepared to destroy that liberty for being the advocates of which they were raised into power and place—would the Ministers now in the Councils of the King coalesce with the supporters of passive obedience—would they do that for the sake of oppressing those who in Ireland presented nothing to them but passive resistance? It had now become the fashion to denounce that passive resistance; but did the Ministers feel themselves safe, when they heard those denunciations echoed by the right hon. member for Tamworth which were recognised as arguments in favour of their own favourite measure? Had they ever found that right hon. Baronet the advocate of any one principle favourable to public liberty? Had he ever said a word in favour of one liberal sentiment, otherwise than with reluctance, and under the pressure of extreme necessity? Not even to the Catholics was he willing to make concessions, until he felt that the salvation of the empire demanded it. The only act of liberality of which that right hon. Baronet was guilty—and guilty he certainly seemed to consider it—was proposing the emancipation of the Roman Catholics. Such was the general character of the party to which the right hon. Baronet belonged, and of which he was the distinguished leader. Now he would call upon his Majesty's Ministers to say whether they preferred the support of such men, or the unbought and virtuous suffrages of the people, and the confidence of those who really represent the people and sympathise with the public? Again he would ask, did the noble Lord prefer the Tories to the people? If he made such a choice, he might be assured, that he would have reason to repent it so long as he lived. The progress of liberty throughout Europe could not be arrested by any such measures as those at present unhappily brought forward by the Advisers of the Crown; its course was steady, and the light which it shed was not only inextinguishable but was increasing from day to day. The principles of freedom were too deeply engraven in the human heart to be removed by any efforts of the puny enemies that from time to time had made it the object of assault. Not even the politico-economical arguments of the right hon. member for Tamworth would place it in the slightest danger. That right hon. Baronet had attributed the superabundant population of Ireland to the use of the potato. Was he really so little acquainted with the laws which governed the increase of population, as not to know that an agricultural population always pressed upon the means of support, be those means what they might; and unless the population were taken off by large towns, the people fell back upon the land a dead weight? In Ireland there was no manufacture, and the little foreign commerce she possessed, if it could be dignified by that name, was a source of employment which did not occupy a thousandth part of her population. But to turn from topics of that nature to those which more immediately pressed. The associations existing in Ireland had been denounced, and they had been described in the newspapers as scenes of political agitation; but was it, therefore, the more true? The real objects of most of those associations were objects connected with trade—with the rate of wages—and with mutual assistance in untoward circumstances—with, in a word, the improvement of the slender manufactures, or modes of industrious employment rather, which existed in Ireland; and it was a most grievous and cruel falsehood to describe those associations as the enemies of England, or of English connexion. He hesitated not to avow that he belonged to some of those associations. He was a member of the Trades' Union in the city of Cork, which city he had the honour to represent in that House. That body was to be put down by the present Bill. But what had that body done? It had been the means of relieving and of placing in a course of successful industry, many useful and deserving artizans; and when the cholera prevailed in Cork—and when the Irish Government gave cold replies to applications made to them, for the means of supplying to the poorer classes of that city that food and clothing, deemed essential to preventing the extension of the disease; and when that aid could not be obtained, the Trades' Unions came forward, and by the arrangements which they made, very materially diminished the evil. In whatever view he took the great question which then occupied the attention of Parliament, he could not refrain from indulging a hope, that the great body of the English Members would become convinced of its injustice and its impolicy, and would, when they came to the division, refuse their sanction to a measure of such unheard-of oppression. He had, of course, listened with the utmost attention to the speech of the right hon. Baronet, the member for Tamworth, and he could not keep his mind from resting upon one of the leading arguments by which that speech was distinguished—it was, that the great ground of complaint on the part of the Irish was not against tithes, but against rent. But, he would ask, how did any arguments connected with those facts meet the difficulty? There was an immense population and a limited territory, and that population had no means of employment but that which was derived from the land. In that state of things they approached a landlord, determined to outbid each other; they borrowed, or otherwise procured, the means of offering him a premium for a lease, and they not only offered him that, but a rent for his land, which he must know to be above the value. Were these temptations such as men in the situation of Irish landowners could be expected to resist? These unhappy and misguided tenants, so obtaining possession of the land, obtained upon credit the means of stocking it with cattle. What then?—they were, perhaps, able to pay the first gale of rent, but the notes they had passed for the cattle were put into the hands of a lawyer, and with costs, probably came upon them before any profitable use could be made of the cattle, and before the landlord's second gale of rent was paid. By the summary process which the law now enabled the landlord to use, the unfortunate tenant was driven from his land—sent out a beggar on the world. It was no matter of surprise, that in such circumstances he should seek to inflict punishment upon the author, or supposed author, of his misery. The tenant's right of ancient occupancy, so much respected in England, was unknown in Ireland. Here the hereditary landlord respected the feelings of the men, whose ancestors had lived under his ancestors for centuries; but the Irish landlords were absentees, and left their affairs to be managed by agents having no sympathies with the people, ignorant of their wants, and too indifferent to acquire knowledge. By such men as these were the people of Ireland driven forth upon the roads to perish. Had there not been in this country many insurrections and disturbances in the manufacturing towns? Had there not been incendiarism in the rural districts? But did the Legislature of England hand over its population to the tender mercies of a military tribunal? It was not on the present occasion alone that Ireland was subjected to measures of that nature. Ever since the Union, she had been placed under a series of such acts; the Peace-preservation Act—the Insurrection Act—the Military Police: and had she, in the interval, advanced one step in real civilization? He would beg of the English Members to pause before they gave their assent to such a Bill, and to remember that Louis Philippe could not always occupy the throne of France, or Marshal Soult command the French armies. Let England look to it; the seeds of dissensions were springing at home, and war was threatened from abroad; but the season of peace had not been improved—the hearts of the Irish people were alienated; and would those who had, on former occasions, shed their best blood in defence of British interests and British institutions do so again? Let reflecting Englishmen ask themselves the question. He should not pretend to answer it, because what he might say would, most likely, be received as of no weight, as it would proceed from a person too insignificant to be attended to by the noble mover of the measure before the House. The noble Lord seemed to think, that the Irish should be treated as serfs—as slaves, that deserved less consideration than those of the West Indies. But the noble Lord knew nothing of the Irish people, and, above all, he was completely ignorant of the middle classes of the Irish, who would be affected by this nefarious measure. The noble Lord did not know that they were every bit as enlightened as the same class of persons in England; that they had their Mechanics' Institutions, and that they sought every means of improving their understanding. He repeated, the noble Lord did not know them, or he never would have dreamt of legislating for them in the way he now proposed. Did the noble Lord by any probability know these men, when he thought that he could make slaves of them? Certainly not. The noble Lord could have no just idea of what the Irish people were. Since the noble Lord did not know them, he (Mr. Baldwin) would suggest to him a wise and salutary precaution. He would warn him, if he owed any duty to his Sovereign, not to lessen, by this measure, the allegiance that a whole people now acknowledged as due to that Sovereign. The noble Lord would diminish the right to that allegiance and the loyalty of the people, by enforcing the enactment of the present Bill, and would, consequently, with his colleagues, be traitors to their Sovereign. The Irish, if this Bill passed, would consider their allegiance to the Sovereign, and their connexion with England, not as matters of political duty, but as matters forced upon them. He should not discharge his duty if he did not forewarn the noble Lord to be more than cautious how he alienated the affections and attachment of a people, when the consequence of such alienation would be ruinous to England, and, if possible, worse than ruinous to Ireland. If the noble Lord passed the measure, he would ask him, what would be the opinion of after-times of his conduct? Would the noble Lord be thought a sincere friend of liberty? Would it not be said that his former speeches in favour of liberty were mere hollow and interested professions? Would it not be said that he had struggled for Reform, not for Reform's sake, but solely to preserve his place, and protect the aristocracy against the people —that he advised Reform as an unavoidable concession, lest he should be obliged reluctantly to grant more? If the noble Lord should insist upon the passing of this Bill, let him never imagine that posterity would put him down as a man who was at any time favourable to liberty. Whoever proposed such a Bill should be considered as friendly to the three despots who were now in heart leagued to enslave continental—indeed the whole of Europe. Such a man favoured the despots, when, by his measures, he endangered the breaking up of this empire, by alienating the Irish people from the English nation. Such a man could not wish to see liberty flourish in Britain, when, by his proceedings, he was sure to retard its progress, and cut short its success in other parts of Europe. He would put a question or two to the noble Lord. Did the noble Lord think that, by suspending the constitutional law of the empire—by having recourse to military men—to the musket and to the bayonet—he could compel the Irish to cultivate the soil—to gather in the harvest—to take the produce of that harvest to market, and to convert it into money for the benefit of the absentee landlord? If the noble Lord thought so, he was sadly mistaken. Military tribunals, military tyranny, could never exact from the Irish what the noble Lord expected. No, if they were outlawed—if they were subjected to the control of a Constitution infringed and broken through, the Irish people would cease to follow their ordinary avocations. He knew that the Irish peasant would not labour if he saw that the laws were solely intended to protect the absentee landlord; and he knew that the Irish peasant would never consent to bow down to such legislative tyranny as the present measure. The peasant, if the measure should pass, would merely cultivate potatoes enough for himself, and leave the landlord to reap the produce of his lands how he might. But then it would be said, that those who would not labour and pay rent could be ejected from their farms. True; but, unfortunately, a whole nation would have to be ejected. After that it might be necessary to have recourse to transportation; but then, it should be recollected, that the expense per head of transportation to Botany Bay amounted to sixty guineas. The British people, taxed as they were, would never consent to such an increased expenditure. Besides, they were too generous to pay for the incarceration of their fellow-subjects, particularly when their only crime was that of resisting oppression. He called upon the noble Lord and his colleagues to recollect the amount of the exports from Ireland to England, and to remember that the present measure might put an end to them. Should such be the case, the consequences would be most disastrous; and he called upon the Representatives of the great manufacturing towns of England, not to give their support to a measure—never to consent to see the Irish people made slaves, unless they wished to see them cease to consume British manufacture, and supply those towns with meal and bread. The noble Lord seemed to think that the Irish people could be made to work like negroes—that by corporal punishment they might be forced to cultivate the soil. Such an experiment might have once succeeded—tyranny might have done for a time; but he would tell the noble Lord that tyranny had had its day in Ireland. The Irish were now become more enlightened—they began to have a proper sense of their own dignity, and of what was due to them as men—they were arrived at that point when they would not work under the whip—when they would not produce under the whip for the benefit of those who employed that instrument. In mercy and humanity there would be true wisdom. To extend education and increase industry was the only sound policy for Ireland. But as a course of oppression was quite the contrary, since it would take away from the Irish all motives of allegiance to the Sovereign of this country, he would entreat, in the most humble but impressive manner, the noble Lord to withdraw this measure, which would excite the hatred of the Irish and the contempt of the English. He would ask, whether Ministers meant to collect the interest of the National Debt at the point of the bayonet, and by oppressing his poor countrymen? If they did, they would find themselves sadly in error. It had been said, that some of the Irish Members had advised a run upon the banks. He could assure the noble Lord opposite that no such advice was necessary. Such a means was not simply floating in the minds of the Irish—they were resolved upon it; he knew them, and he was convinced that the result of the passing of this measure would be a run upon the banks in every part of Ireland. Ministers then would have again to suspend cash payments, and by that suspension would destroy the confidence of the country, and oblige the people of England, Scotland, and Ireland, to rise up against the Government. He would once more call upon the proposers of the present infernal measure to withdraw it. If they did not, how could they expect that the prayers offered up by those who wore mitres and lawn sleeves for the King of the

Realm could be acceptable in the sight of Heaven? No prayer he would say, could be acceptable to God as long as it was accompanied by the curse of the Irish; and no religious offering could be graciously received as long as it was connected with oppression, exaction, and tyranny. He would not go further into the details of the question before the House, and would conclude by thanking them very cordially for the polite attention with which his remarks had been listened to.

Lord *Castlereagh* said, that there was nothing in the arguments of the hon. Member who last addressed the House, to call for particular observation. With the threats and menaces thrown out by the hon. Member—more numerous than he recollected to have been thrown out on any political question—he had nothing to do, and left it to the members of his Majesty's Government to rebut them, and he trusted that the Government would be prepared to crush any attempt that might be made to carry them into effect. He would deal with the question before the House, and he would confess that it was with sorrow, and with shame, that he saw such measures about to be adopted towards his country. He called it his country, as he thought it as much his as theirs, who seemed to think it their especial country. Every impartial person that had heard the splendid speech delivered a few evenings before by the right hon. Baronet (Sir Robert Peel) near him, must be convinced of the necessity of the measures now proposed, and that there existed no longer any respect for the Constitution in Ireland, since a series of the most dismal outrages, murders, and burnings, was carried on there. He considered, that all the evils that afflicted his unhappy country sprang from agitation —from agitation; no matter whether it was that of the Corn Exchange, or of the Castle. He thought that Government had not been sufficiently careful—that it had thrown out too many hints, encouraging, instead of opposing, agitation. Measures respecting the Church and Tithes had been too much talked of by his Majesty's Ministers; and he would ask, how could any man in Ireland be expected to pay tithes, after the remarks that had been made by the right hon. Secretary opposite? Having said, that agitation was the cause of the evils of Ireland, he would state as a proof of his assertion, that that part of Ireland which was not worked upon by agitators, was perfectly tranquil. It gave him great satisfaction to be able to state, that the province of Ulster was perfectly tranquil. The inhabitants of that part of the country with which he was connected (the North of Ireland), though they suffered equally with those of the other counties, still did not have recourse to outrage, assassinations, and burnings. He had lately spoken to some gentlemen from Belfast, and they told him that tithes were paid there, and that the people were as tranquil as could be desired. The cause was, that the agitators had not got among them, and that they had the good sense, when the great agitator, the hon. and learned member for Dublin, who was not ashamed of that epithet—showed his face among them, to drive him back with praise-worthy resolution. Another cause of the tranquillity in that part of the country was to be attributed to the conduct of the resident landlords; and he would appeal to hon. Members behind him, if he was wrong in making that assertion. He would say little more upon the question, than assure the House, that it was with the gravest sorrow he would vote for the measures now proposed by Ministers; and he trusted that they would use the coercive powers which were to be placed in their hands with discretion, and retain them for as short a space of time as possible. He must confess, however, that he was astonished when he looked at the quarter from which this measure came. He repeated, that he was perfectly astonished that a measure so despotic and arbitrary, should have been proposed by a Whig Ministry, to the first Reformed House of Commons. He did not mean to say, that there did not exist a strong necessity for it, but the House should bear in mind, that the Ministers had told them that Reform would make the people quiet and peaceable. In the words of hon. Gentlemen opposite, Reform was to be a panacea for everything. It seemed, indeed, that it was not, and that but little confidence was now placed in those who proposed and carried it. The hon. and learned Member behind him (Mr. O'Connell) had no confidence in them, as might be seen by his declaration to the National Political Union, of which he now seemed to be the head. But the hon. member for Cork said it would appear, that bayonets, and runs upon the Banks, and other blessings of the same species, would all be the results arising from Reform. He would, however, promise that the measure before the House should have his support.

An *Hon. Member* said, that those who opposed the present Bill, were bound to show, either that the statements made by the noble Lord in introducing it were exaggerated or unfounded, or, failing in that, to suggest some measure which would meet the necessities of the case, None of those hon. Members who had spoken against the Bill, however, had impeached the statement of facts made by the noble Lord, or proposed any measure as a substitute for that brought forward by Ministers. The measure which was stigmatized as coercive, was coercive only so far as they obliged the Irish to obey the laws, and prevented them from plundering one another. He should be glad if a remedy for the grievances of Ireland could be discovered; and he was sure that the majority of that House was equally anxious with him to make the discovery. He would support the first reading of the Bill, because he was of opinion that it would secure the peace, and tend to the prosperity of Ireland.

Major *Fancourt* said, that, as an Englishman, he felt bound to oppose the Bill. He could assure the House, that, under ordinary circumstances, a just diffidence would have deterred him from presenting himself to their notice, but the very magnitude of the present question compelled him to conquer that diffidence as far as he could. He could not, consistently with his own feelings and convictions, give a silent vote on this question, when, in his opinion, a death-blow was levelled at the very principle of constitutional freedom. But at the same time he begged to assure his Majesty's Government that he was actuated by no disposition to join a factious opposition against them. As far as he could learn, no such opposition existed; at all events, such an opposition against any Government he never would condescend to join. It was simply in the character of an independent English Member of that House, that he stood forward to resist the utter abolition of the spirit of independence in Ireland; and though, after the many eloquent appeals which had been made from that side of the House by the chosen advocates of that distracted country, nothing which he could advance would be worthy of arresting the attention of his Majesty's advisers; still, as there were one or two points connected with the question which he would willingly suggest to the consideration of the House, he trusted he should not look in vain for that courteous forbearance with which hon. Members addressing the House for the first time were usually favoured, and which, in the few remarks with which he proposed to trouble the House, it would be his desire and endeavour to deserve. In the first place, he begged to state the grounds on which he voted with Ministers in support of the Address to the Crown. He so voted on this very definite ground—that he could not refuse to the Executive additional powers, on a solemn statement from the Throne that such powers were necessary. It appeared to him that the House could not say to his Majesty, we will grant no assistance; but, in conformity with the spirit of the passage in the Royal Speech, he, in common with many others, intended, by so voting, to assure his Majesty of their present willingness to grant such additional powers, if a case were satisfactorily made out, proving their necessity for the maintenance of the authority of the law, and the dignity of the Crown. In his opinion, no case had been satisfactorily made out for the granting such terrific powers as were contained in the provisions of the Bill then before the House. To quiet disturbed districts, they were called on to put those districts under Martial-law. Such a measure could not, he thought, fail of neutralizing any beneficial effect which the noble Lord might anticipate from his Church Reform, and other Bills. If, as the supporters of Government said, these latter projects were calculated to inspire the people of Ireland with such an unprecedented confidence in their rulers—then, why not first try more lenient measures for the punishment of the disaffected, relying on the well-disposed and no longer distrustful portion of the community for co-operation and support. But tendering untried and partial measures of relief with one hand, and in the other wielding the sword of persecution, which had already been felt, and which was now raised to strike a more unrelenting blow than ever, this did, he confessed, appear to him the most contradictory policy. And here he would remark on a charge brought against the hon. and learned member for Dublin, both in that House and out of it. It was asked why did not the hon. Member co-operate with Government for effecting good? Why did he limit himself to prophesying evil results there, and labouring elsewhere for the fulfilment of those prophecies? Judging from what he had seen of the hon. and learned Gentleman, he must say, never was charge more utterly unfounded. Did the hon. and learned Gentleman give an ungracious acceptance to the Irish Church Reform Bill? Let the House remember, that the threatening Speech from the Throne was still in the recollection of Irishmen, when the hon. and learned Gentleman received the Ministerial measure as a boon. It was true that measure conceded a principle for which the hon. and learned Gentleman had long contended, but the application of that principle was by no means so extensive as to preclude the possibility of a consistent demand for further concession on the part of a gentleman of his political and religious opinions. Did the hon. and learned Gentleman make the demand? No. Again, on the occasion of the right hon. Secretary's Bill, with reference to Grand Juries, a few evenings ago, was there any indisposition on the part of the right hon. Gentleman to meet the measure in the spirit in which it was brought forward? Certainly not. Then, let them, while legislating on this unfortunate, this momentous occasion, abstain—he would not say from misrepresentation, but—from ill-considered comments on the conduct of public men. After what had been so ably urged by the hon. and learned member for Dublin, and the hon. and learned member for Tipperary, with reference to the justice of previous inquiry, nothing surely remained to be said on that subject. Every principle of common sense, common fairness, called for that inquiry; and were high authorities requisite to enforce so plain a doctrine, what better authorities could they wish for than those so triumphantly adduced by the hon. and learned member for Tipperary the other evening? Could the noble and right hon. persons, whose recorded opinions were then quoted, invent any form of argument, or of sarcasm, to shake the great truth long since asserted by themselves,—namely, that punishment ought not to precede inquiry? And let him ask the right hon. Gentleman, if this so just request were refused, what chance was there of Parliament knowing anything at all upon the subject? For observe, this Bill, this desolating Bill, once passed, and the people to whom they now refused the justice of inquiry would be deprived of the right of petitioning. This right they were called on to take from the Irish people. Now, this appeared to him the most flagitious part of the Bill; yet it was consistent, it coerced without inquiry, and oppressed without appeal. Would any English gentleman pretend that under any possible combination of circumstances he would submit to that? Would any gentleman from Scotland submit to it? If they would, the people of these kingdoms would not. They would not submit to the destruction of the Constitution; and he, for one, most calmly and advisedly declared, that in such a case, an unlimited despotism decreed as a primary measure, he would, as he trusted would the great majority of the gentry of England, take his stand, at all hazards, by the Constitution under which he had had the happiness to be born. And if a power so far beyond the law as the present Bill, were employed for the restoration of the law, that power he would only submit to so long as resistance was without hope of a successful issue. If that were, as he felt it must be, the calm and unimpassioned determination of Englishmen, was it less justly that of Irishmen, who had vainly sought for redress through centuries of intolerable wrong? He wanted to know where was the difference, or, if they presumed a difference, what became of the Legislative Union? Union! Why, if Ireland be bound to us by no better ties of Union than the chains here proposed by Government, in God's name let them grant the Repeal; and though they lost all things else, let them preserve their honour as a free people. His Majesty's Ministers might depend upon it that they were the great repealers. He would just state his own case. There were no reasonable or constitutional lengths to which he was not prepared to go in support of the Legislative Union; but if the passing of that Bill were necessary for its maintenance, then was he an anti-unionist. He would rather repeal that or any Union than crush an entire people, and his Majesty's Ministers would, ere long, discover that such a feeling was pretty general. He felt that, under whatever aspect this question was viewed, it was one deeply mournful as regarded Ireland, and, he was bound to add (if conceded), most deeply disgraceful as regarded England. Never was an all-powerful argument less reproachfully urged than that adduced by the Irish Members in support of their claims on the sympathy and justice of a Reformed Parliament. But for the Irish Members in the last Parliament, would the present reformed Parliament be sitting? Those who had set their hearts on the Reform owed much to Ireland in the persons of her Representatives. And what had Ire land gained by the Reform? She had gained nothing. She gave unlimited confidence, unqualified support, and for what?—it would appear, to lose the little she had before. She had lost, or was about to lose, all. She had lost her "long-sustaining friends of many years" in this country—the all-powerful advocates of civil and religious liberty—a principle on the predominance of which her hopes, so long deferred, had at length become fixed with somewhat of a more cheerful confidence. And why were those mighty voices heard no more? Were those eloquent lips closed for ever in the silence of the grave? Alas, no! But, with the faint utterance of an irresolute will, they were, in the autumn of life, contending for the very doctrines which in the spring and summer of their days they had combated with all the energy of talent, and all the influence of station. The change was truly marvellous! Were, for example, a certain noble Duke, and the right hon. Baronet, the member for Tamworth, now directing the destinies of this country, and that noble Duke were to come down to Parliament for such powers as were demanded by the present Bill, would not the present Premier, with all his former eloquence, denounce the insolence that dared to outrage the country by so flagrant a demand? Would not the right hon. Baronet, in a similar case, have to encounter the thunders of Mr. Henry Brougham's irresistible invective, who, no doubt, would talk to us of "nations clothed in the panoply of freedom, whom neither duke this nor prince that would much longer be able to coerce or control?" Would not the right hon. Secretary himself, exerting those great debating powers by which he nightly assisted, and had so recently adorned, the deliberations of that House, resist the threatened inroad on the Constitution? Most assuredly all this would be; but those noble and right hon. persons were in office, and from that circumstance, and from that alone, not a voice was raised in behalf of Ireland in a certain assembly. In that assembly he ventured to declare, that a great political error had been committed in the indecent haste with which the Bill before them had been hurried down to that House. Who but remembered with what "laborious and compulsive flight" the hard-fought field of Reform—a measure which, as far as the enfranchising clauses went, was admitted on all sides to be called for—who but must remember with what "laborious and compulsive flight" that field was abandoned? And remembering this, what must the conclusion in the public mind be, when they heard that in one short week the same assembly devoted, without a single dissentient voice, an entire people to unmitigated despotism? Why, a mere private bill, which, without touching a close borough, or any such important matter, should disfigure a lawn or spoil a view, would have been discussed with infinitely more care than that Bill of unprecedented rigour. What, he repeated, would the public say to this? Would they not infer, that in certain quarters, all measures were deemed worthy of discussion, except those of sanguinary rigour towards the people? But, be that as it might, they who were the Representatives of the people had a different duty to perform; and he for one thought that duty would be best discharged by wholly rejecting the Bill before the House. Let him not be charged with a wish to secure that most perishable of all possessions, popular favour and applause, because he felt bound to resist so gross an outrage on popular liberty. He came there as uninfluenced by popular excitement, and as far superior to popular control, as any Gentleman enjoying a seat in that House. But were a resistance to the present measure calculated to draw down as much of odium and execration as he felt must fall on the Bill itself, still he should unflinchingly resist it. He would never consent to the overthrow of the Constitution by intemperate and ill-considered changes, still less would he assent to its destruction by audacious and irresponsible tyranny—a tyranny which, in the words of one of the authorities quoted by the hon. and learned member for Tipperary, not even Russia itself could exceed. And, having mentioned Russia, he might here remark on the recent expedition to that country by a certain noble Lord. It was generally understood that one of the objects proposed to himself by the noble Lord was an expostulation with the Emperor with reference to his conduct towards Poland. That was every way praiseworthy; but how must the autocrat—an avowed and acknowledged despot, exercising the privileges of recent conquest—how must he laugh, in the bitterness of scorn, when hearing that in the British House of Commons, where, in an unreformed House of Parliament, and under a Tory Government, the walls had resounded with indignant execrations against his barbarity towards Poland—that within those very walls, in a reformed and liberalized Parliament, under a liberal Ministry, and under a Monarchy confined by definite constitutional restrictions, that there they were to pass a bill dooming millions of British subjects to worse than Siberian slavery. What a mockery of intervention was this! He trusted that the people of England would not, in a similar spirit, bestow their sympathy solely on the negro, while this unhallowed work was going on so much nearer home. He trusted, that petitions from all parts of Great Britain would implore and warn the House not to annihilate the liberties of Ireland. The generosity and public spirit of Englishmen convinced him that it would be so. They and all lovers of law and order, would cheerfully support the Government with all reasonable powers, the necessity for which should be clearly shown; but they would never give the present or any other Government the power of establishing a despotism in a kingdom where freedom had long since become a necessary portion of political existence. He should, in conclusion, repeat the statement with which he had risen, that it was as an Englishman that he opposed this Bill. He knew not where, if once conceded, this frightful principle might be next applied. Had Ministers no recollection of a population agitated, in England and in Scotland, to so terrible a height that life and property were in hourly increasing peril? And how was that put down—by Martial Law? No; by special commissions. Did any man dare to talk to us of the wholesale incarceration and butchery of Englishmen? There was no person hardy enough for that; there was no precedent for it. But once pass this Bill, and vote for the re-establishment of ministerial despotism in Ireland, and with what face could Englishmen refuse the same power to the Ministers, should here, in England, agricultural and commercial districts be simultaneously in commotion, and the political unions evince a disposition to evil rather than to good? Even in such a lamentable state as that, would English Gentlemen vote away the Constitution at one fell swoop? Rather would he see every one of his countrymen fall at his own threshold in the desperation of civil conflict than submit to this measure, with its night searches, legalized burglaries, and the rest of its clauses, confounding the innocent and the guilty in one heartless scheme of coercion. As he would resist it for England, so would he resist it for Ireland. He did so because he wished to guard the Constitution of the united Empire from invasion; he did so because, on his solemn conviction, he felt that if, instead of making atonement for all the wrongs and misgovernment inflicted by England upon Ireland since the destinies of Ireland had been in her hands, she were to go on increasing in rigour, coercion, and despotic oppression, as was proposed by this Bill, such measures must inevitably one day fall on herself with terrible retribution, unless, in addition to man's oblivion of humanity, Heaven itself should have forgotten to be just.

Colonel *Chichester* said, that though he was as sincerely attached as his hon. and gallant friend to the principles of rational liberty, he differed widely from him on the present question. None of the speakers on the other side of the House had dared as yet to controvert the statements made by the noble Lord and the right hon. Secretary below him [*cheers.*] Which of the Gentlemen who now cheered so loudly had dared to deny, that the murders of which they had recounted so frightful a list had been committed. He repeated, that he was as great a friend as his hon. and gallant colleague to the liberty of the subject; and to preserve that liberty in unimpaired vigour he was now prepared to vote for the first reading of this Bill. He thought that the Bill was necessary for the pacification of Ireland—that deluded, misguided, and misgoverned country. He did not mean to deny, that Ireland had been a misgoverned country, but he hoped that when the conciliatory measures which were to accompany this coercive measure were carried into full effect, which they never could be whilst the present agitation lasted, she would find, that the day of her tribulation was past, and that better and brighter prospects were beginning to open upon her view. He should vote for this Bill, because it was intended to put down agitation; and he should vote for it, even if the preamble stated, that it was intended to put down the chief agitator himself. This Bill was not intended to put down the liberty of the subject. No; this Bill was intended to protect it [*opposition cheers.*] The Gentlemen who cheered him confounded liberty with licentiousness. Was it liberty to have the sanctuary of a man's home violated by the nightly incursions of the Whitefeet? Was it liberty to have a man murdered on his own threshold? Was it liberty to have a wife slaughtered on the body of her murdered husband? Was it liberty to have a child deterred from giving the testimony which was necessary to bring the murderers of its parents to justice? "Rather let me live" said the gallant Member "under any tyranny—rather let me live under the most absolute despotism, than in Ireland, or in any other country where such liberty prevails." A sharp measure was, in his opinion necessary for the pacification of Ireland, for the sooner these disturbances were put an end to the better would it be, not only for Ireland, but for the empire at large. He would vote for any measure which was calculated to subdue these disturbances and to restore the reign of good Government. He would put it out of the power of the hon. and learned member for Dublin, and of any of that hon. and learned Member's friends, to agitate his country by passing a law which should place Ireland in all respects upon the same footing as England. Only restrain the passions of Ireland for a time, and she would soon begin to reap the benefits of an improved legislation. He said that advisedly, for to his knowledge many Gentlemen who supported the agitation of the hon. and learned member for Dublin in public expressed different opinions of it in private, and disapproved of it, as tending to check the progress of improvement in Ireland. Many of the Gentlemen whom he saw on the opposite benches had admitted that much to him in private conversation [" *Name, name.* "] No, he should not name the hon. Members who had made such statements to him. He would, however, give the House a convincing proof of the truth of his statement, and that proof should be taken out of the mouth of the hon. and learned member for Dublin. At a meeting of the National Union, which took place on Saturday evening, the hon. and learned Member said "I have seen the cold-hearted sneers of many a false friend, and have had but few cordial salutations. Wheresoever I directed my steps, coldness met me on my path." He did not know whether the hon. and learned Member had used those words but he found them attributed to the hon. and learned Member in a report of the proceedings of that meeting. He repeated that the evils produced by agitation in Ireland were so terrific as to justify him and other friends of liberty in exclaiming, in the language of the poet,—

> " That, half a patriot, half a coward grown
> I fly from petty tyrants to the throne."

He concluded by expressing a hope that the passing this measure would restore Ireland to a proper state of feeling, and put an end to the reign of terror which for months had prevailed in that country.

Sir *Robert Bateson* thought the case laid before the House by his Majesty's Ministers, carried conviction with it of the necessity of the present Bill; and he rose —as the Representative of a numerous constituency, and as representing not only their feelings, but the feelings of the whole of the people of the north of Ireland —to express his and their concurrence in that measure. He had heard hon. Members from Ireland speak as if the Irish Members were confined to one part of that country, and as if the opinions of all Ireland were expressed by those Members. He had come from Ireland within the last few days, and he could say, that in the part of it where he was, all the property, all the moral worth, and all the integrity of the country, was in favour of intrusting his Majesty's Ministers with powers to put an end to the horrid state to which Ireland was reduced. It was not, however, for him to go into the details of the Bill; the present was not the proper stage to do so, nor should he pledge himself to agree to the measure as it now stood; but he would vote for it, and that because no period in the history of any country ever showed such a necessity for vigorous and strong measures as Ireland now did. He was not about to argue whether the pilot who steered the vessel on to the rocks, and among the shoals, was or was not ignorant or misguided, but all he urged was, the necessity for saving the ship by easing her, by cutting away her masts and rigging, and throwing her cargo overboard—and it could be done by nothing less. In the course of this debate he had heard a great deal about the liberty of the subject, and the tyranny that was going to be exercised in Ireland. Now, it was to get rid of the most odious tyranny which had ever existed, that he was prepared to intrust strong measures to the Government of Ireland. If that Government wished to save Ireland from all the horrors of rebellion and revolution, it must put an end to the agitation which prevailed there—agitation of which the object was to goad on the peasantry to measures which could only end in their destruction. Hon. Gentlemen had spoken of the injustice of imposing upon Ireland a law which gave the right of nightly search in suspected houses; but they had not said a word of the nightly outrages of marauders, who burnt men in their beds, and slaughtered them whilst they were unsuspecting of danger, merely because they followed the dictates of their own consciences. If his Majesty's Ministers were to present a Bill to put down by name the chief agitator, who goaded on the wretched peasantry to their own destruction, he would support it. They had heard the name of liberty prostituted night after night by the Members who spoke against the measure, in order to raise a feeling against the Bill; but he was convinced that the Bill would be the saving of that liberty. But, while he trusted that his Majesty's Ministers would use the power which it gave them with discretion, he must say, that no measure could be too strong, in the present state of the country. He could say, that in the northern provinces, the lower orders were almost unanimously in favour of the Bill. He repeated it—the lower orders were in favour of it; and it was only in those districts where factious men, for their own base objects, goaded the peasantry on to destruction, that any feeling had been shown against it. He acknowledged that the people were poor, and that they had been misgoverned; and the consequence was, that they were now reduced to such a state, that it became necessary to treat them as if they were maniacs, and apply strait waistcoats to them. He could not but admit that, in many parts, such was the wretchedness of the people in some districts, that they thought no change could be for the worse. He attributed much of the wretchedness to a system which had sprung up of letting land by auction—a system by which the people were induced to give a larger rent than the land was worth. It was said, by the landlords, that they had no other way of judging of the value of the land. That he denied. They could get valuators and surveyors, who would give them an exact calculation of its value; and he thought that the landlords committed an error, the bad effects of which recoiled upon themselves, at the same time that it was ruinous to the peasantry. With these sentiments, and speaking not only his own sentiments, but those of the whole province of Ulster, he would close. He was not pledged nor fettered; he was not bound to give expression to sentiments which he did not feel. There were many, however, who spoke against this measure, who were pledged to the Repeal of the Union, who were sent to that House to vote in a particular way, and had no power to vote otherwise—who came there as the mere slaves of a faction—as the Representatives of a mob, the organs of a bigotted Priesthood.

Mr. *Finn* rose to order. He had never in any assembly heard such opprobrious language.

The *Speaker* hoped the hon. Member would see that there was a difference between what he (Mr. Finn) considered good taste, and what the House considered out of order.

Sir *Robert Bateson* proceeded—he begged to assure the hon. Member that he had not contemplated or intended to give him any offence, for he had not the most distant idea of alluding to the hon. Member; he only asserted what he believed to be the fact, that there were in that House persons pledged to certain questions, and he was, as he had a right to do, giving his sentiments upon such pledges: but if the hon. Member was so pressing, and if hon. Members would apply this general observation to themselves, he certainly, however he might regret it, could not prevent their doing so. He spoke as he was entitled to do, as the Representative of a loyal intelligent constituency, and their sentiments were decidedly that, protection to life and property was imperatively called for. In his own name, and as representing the feelings of the people of the north of Ireland, he would support this measure.

Mr. *Barron* had never heard more extraordinary language than that used by the hon. Baronet. He (Mr. Barron) had the honour of being sent to that House by the people—by that class of the people to whom the late Parliament gave the power of sending Representatives to Parliament. He had aspired to a seat in consequence of three requisitions sent to him by the people of Waterford, and at their request he came forward. They knew his opinion before they elected him, but he denied that he had adopted those opinions in order to obtain a seat in Parliament. In giving his support to those who opposed this Bill, he did so, not from personal feelings, but from a sincere conviction of its dangerous tendency. He protested against the Bill, because it would infallibly cause a separation between the two countries. It would make the people of Ireland dissatisfied, and make them despair of ever finding justice in a British House of Commons. The discontent and dissatisfaction which before prevailed had increased very much since the Bill was brought in. He had received several petitions, to present against it, signed by men of property and honour, by good Whigs—by men who had always supported the present Ministers—by men who had never belonged to any secret or public association—by men who had fought the battles of Ministers—by men who had never been agitators, but always opposed to agitation; and they were all against the Bill. All his letters from Ireland expressed the same feeling. What was the Bill to do? It was to coerce the Irish people; but coercion had been already tried, and failed. That had been stated over and over again, and was well known in Ireland. It was so thoroughly known, that it had been stated at several public meetings, showing that the people were wiser than the Ministers. He would give the House a specimen of the opinions that were prevalent in Ireland, and would quote the language used by Mr. Berwick at a late meeting. The hon. Member accordingly read an extract, saying—"That the history of Ireland was the history of the failure of coercion. In 250 years it had been tried, and found insufficient; and even those who were its advocates, were obliged to confess by the present proposition, that it had been a complete failure; for the country was not even habitable." Was it not time, then, to change the system, and try if healing measures would not have a different and beneficial effect? They had given the Irish Catholic Emancipation, but that was not enough; that was the foundation of better measures, but it had not been built on. He denied—notwithstanding the assertions of the right hon. Secretary—that disturbance was now greater than formerly. For seventy years—as he could show from public documents—Ireland had been disturbed, and frequently more disturbed than at present. The counties of Antrim, Down, and Londonderry, were much disturbed in the beginning of the reign of George 3rd, and required an Act of Parliament to put down the disturbances in them. The 11th and 12th of George 3rd were passed to put down disturbances; then they prevailed in the north—now they prevailed in the south. He admitted that murders were committed now, but they were also committed formerly. In fact, a similar state of things to that which now existed, had existed for the last seventy years at intervals; coercive laws had been frequently tried, and they had always failed. The Insurrection Act had been renewed several times, and the land had been governed under it for many years; but acts of kindness—acts for redressing grievance—were almost unknown. For what reason were they now about to suspend the *Habeas Corpus* Act? He saw no good reason, and he would never consent to place the power granted by this Bill, in any man's hands. He would place that power in the hands of the present Ministers as soon as in those of any men; but had they a patent for holding their places? Could they assure him that they would be in office that day six months? How was he to know who was to be Lord Lieutenant of Ireland six months hence? The Lord Lieutenant might be a good, generous man, or he might be a very bad man, and, therefore, he would consent to no such Bill. He was no prophet, and could not say who might be in the Ministry six months hence, but he would take care, as far as he could, that they should not have power to abuse. The *Habeas Corpus* Act was suspended from 1793 to 1800; and from 1803 to 1806; and again in 1822; but that had not given tranquillity to Ireland. The Special Commissions, however, which had been sent to Clare and Queen's County, had restored tranquillity there; and if a second Special Commission had been sent to Queen's County, he had no doubt that tranquillity would have been completely restored. It was the opinion of Chief Justice Bushe, that the ordinary law was always sufficient to suppress disturbances, when it was vigorously executed. It had been sufficient to preserve the peace whenever firmly carried into effect. In Clare an insurrection was almost ready to break out; but two Assizes and one Special Commission had been found sufficient to put that down, and he believed that tranquillity was now completely established. That was the opinion of Chief Justice Bushe, as given in a charge to the Grand Jury in the latter end of 1832. He was ready, however, to grant additional powers to put down disturbance, as recommended by the Committee appointed at the instance of Sir Henry Parnell, whose absence from that House he deeply regretted. If that honest and upright Irishman had a seat on those benches, the present Bill, he was sure, would never be passed. That Committee only advised that the law should be strengthened; but the Ministry proposed to suspend the *Habeas Corpus* Act, and inflict Martial Law on the people. To justify that, the Government had made out no case whatever. They had only brought forward one instance of a Jury not having done its duty, and that was the doubtful case of Carrickshaugh. Upon that single case they justified their measures for changing the Venue and abolishing the Trial by Jury. Was that fair? Before they passed this anti-constitutional Bill, a strong case ought to be made out, which had not been done. To such a measure he never would give his consent. To show what was the state of the country, he would quote some unexceptionable testimony, not that of agitators, but of conservatives and men of property. He would quote the testimony of Colonel Rochford, who was a Conservative. He said, in his evidence, that there had been no difficulty found in conducting prosecutions—none whatever. He was asked if the Jurors were ill treated, and he said, that it was a rare circumstance. Why did not the Ministry act upon the report of that Committee? Was the evidence taken only to delude and betray? It was proved by the testimony of police Magistrates, and country Gentlemen, who had been brought over here to give testimony, and particularly by the testimony of Major Singleton, that the ordinary law was sufficient to repress disturbances. When it had been found that a Special Commission had repressed disturbances in other counties, why was not one sent to Kilkenny? He deplored the state of the country—he had never countenanced murder—far from him be such an act. He had never been in favour of outrages of any kind; he had never countenanced them in any manner; he wished them put an end to; but he thought the disturbances might be put an end to without this Bill. It would cause great mischief, and would not suppress outrage. It would promote irritation, and agitation, to a frightful degree. Already, since the Speech from the Throne, agitation had increased very much, and those who had never been agitators before, had now become so. There was the case of Lord Miltown, who had joined the Volunteers. He was a man who had hitherto studiously abstained from politics—he was a good Whig, and since this Bill had been brought in he had joined the Volunteers. Similar effects had been produced in the county of Waterford. A Magistrate had written to him to say, that if the Bill were passed, he would resign his commission and leave the country. He would not be made the tool to administer such a law. The hon. Member then referred to documents to show that Tipperary, Waterford, and Kilkenny were tranquil. He quoted the testimony of Mr. O'Shea, the late Sheriff, and of a Mr. Power. They stated that everybody was against Lord Grey's Bill. That was the case with men who were good Whigs, and had been good Whigs all their lives. Every one was against it except the Conservatives, and a few people who suffered by the Whitefeet in Kilkenny. And was the Constitution to be suspended, because a few Whitefeet committed outrages? He was ready to give the Ministers power to put down these outrages, but not to suspend the Constitution. Doing that would only promote the cause of Repeal, and beget a deep rooted animosity against England. He believed that the Gentlemen who brought in the Bill were quite unconscious of what were likely to be its effects. The Bill might enable them to collect tithes for a short time, but it would not make the country tranquil. A Special Commission might do that in Kilkenny as well as Clare. The hon. Gentleman next quoted the testimony of a Mr. Power, of Ballydean, to show that Tipperary was tranquil, but that the people were all offended by the proposed Bill. He would deny that the county of Waterford was in a disturbed state. On the contrary, having an intimate acquaintance with that county from his boyhood, he could safely state, that it had never been more peaceable. At the last Assizes, the whole list of the gaol delivery of prisoners for every description of offence, contained only nineteen names. There certainly were some counties in a disorderly state—Queen's County, for instance, and Kilkenny; but Waterford, and many other counties, were perfectly peaceable. Ministers talked of the disturbed state of Ireland. Was Ulster, he would ask, in a disturbed state? Was Munster? No; and yet this was a province with a population of 600,000. Was Limerick in a disturbed state? No. There had been, doubtless, some election disturbances; but had there been no election disturbances in England; or, indeed, had there been no other riots in England? Did not the House remember the dreadful stories told in the Tory Papers, in *The Standard* and *Morning Post*, of the "brickbat and bludgeon elections," as they called them? Did they forget the terrible riots at Bristol, at Nottingham? He did not mean to say that the outrages in Ireland, which had been enumerated to the House, had not occurred, but he did mean to say, that they had been frightfully exaggerated. He would not say that the noble Lord (the Chancellor of the Exchequer) had wilfully exaggerated them, for he would not suppose for a moment that the noble Lord would have stated anything which he did not believe to be the fact, for the candour and manliness of the noble Lord were well known, but that they had been exaggerated, he had no doubt. He denied, that the state of those counties even, which, he would admit, were really in a state of disturbance, was at all such as to call for the atrocious modes of suppression contemplated in the Bill. He would, therefore, intreat the House to try less severe measures, and not suffer themselves to be persuaded out of the grant of powers so unconstitutional, so repugnant to the universal feeling of Ireland, and which would infallibly give rise to the strongest desire in the minds of every Irishman for the separation between the countries—a result which he himself should contemplate with the deepest regret, as he believed the Union to be highly beneficial to both countries. England required the raw produce of Ireland, and the latter country consuming the manufactures and the general produce of England, they thus assisted each other. He would not detain the House by reading other letters he had—but he had come forward with the desire of clearing up the misconceptions under which the House appeared to be labouring. He would again entreat the House to strike at the root of the evils of Ireland; not to countenance the atrocious coercive measures proposed by Ministers. He would call upon them to direct their attention to the subject of tithes and their appropriation. He would have them succour the poor, and take measures to ensure their education. If they neglected those things, they would do nothing by coercion. The Protestant population in Ireland was but 500,000, yet these enjoyed an income of 8,000,000*l.* or 9,000,000*l.* He would ask any hon. Member whether this was a just distribution of property? He trusted that this House would not pass the proposed measures with the indecent haste displayed by another House in passing them. He trusted they would allow time for due deliberation—that they would wait to see the result of the assizes in the disturbed counties. They would then be enabled to judge for themselves by facts, which would come before them in the course of the week. Would they not give the people of Ireland time to petition—to show cause against such a dreadful attack on them? Hon. Gentlemen should call to mind, that this was no common Turnpike Bill, but a declaration of war against a whole nation; and surely that nation ought to be allowed sufficient time to petition against it. If the House refused his very moderate request, they would deeply regret it. Were they to be told their duty—were they to be directed what course to pursue by the right hon. member for Tamworth—by that great Anti-reformer? Were they to allow themselves to be dictated to by a man who wished to make the Whigs as unpopular in Ireland as his own party was here? That hon. Member talked the other evening about a great gulf between him and the hon. Secretary for Ireland, and of the rubbish put forth by the Members for Ireland: he (Mr. Barron) supposed the right hon. Gentleman intended to fill up the chasm between him and office, with that rubbish, and to surface it over by his selfish sophistry; though he could not pretend to divine whether the right hon. Baronet was to go over to the right hon. Secretary for Ireland, or the right hon. Secretary come across to him. Had the right hon. Baronet ever done any single act of good for Ireland? He had been twenty years in power, and he had done nothing whatever for the country; on the contrary, he had upheld popular dissatisfaction by means of corrupt Corporations, Orange Ascendancies, gagging Acts, and suspensions of the *Habeas Corpus* Act. Were hon. Members in favour of such measures; or was Ireland to be governed in this way by both Whigs and Tories? There were many acts of minor detail necessary to be carried into effect before justice could be done to Ireland, but the first and greatest grievance was the tithe system. At Doneraile, in the county of Cork, no less than 600 people had been dragged into Court for tithes only a week ago, and the amount of tithe due from each person seldom exceeded 6*s.* Though Cork was peaceable, yet if this system were carried on it could not be expected long to remain so—[*coughing and " Question."*] The hon. Member alluded to the evidence given before the Committee last Session, by Major Bryan, but the coughing and other discordant noises became so very loud that it was impossible to hear him. He had he repeated, a most disagreeable duty to perform, and he admitted that in the performance of it he had been tiresome, he had been irksome, but he had performed his duty, and having thus satisfied his feelings, he thanked the House sincerely for the attention they had accorded him.

Mr. *Montague Chapman* said, he was willing to believe, that it was with great pain that Ministers had brought before the House such a measure as the present. That pain, however, was not confined to themselves, for, on the contrary, it extended itself to the breasts of all those hon. and independent Members whom Ministers thus placed in a very serious dilemma. It was not now that, for the first time, he felt these sentiments, for he entertained them since the first hour when the unfortunate Address had introduced these measures in so mischievous a manner. As to those wretches who committed those culpable and atrocious acts which could not be palliated, he should not grieve if he could for an instant conceive the shadow of a shade of a possibility of a notion that to them only would the operation of these measures be confined; but, on the contrary, he was opposed to the Bill because it was quite as applicable to the innocent as to the guilty. The Bill before them had two objects; the first—that of putting down illegal associations; the second, that of repressing local disturbances in Ireland. On the second part of the Bill, he contended that Ministers had made out no case. With respect to the first, however, he entertained a different opinion, for he thought the Volunteer Association ought not to be suffered to exist. He did not mean to impute illegal motives to those who had established the Volunteers, but he was decidedly of opinion that the existence of the Volunteers was inconsistent with the Constitution of the country. But was it to be the case that because the Volunteers were culpable, they should make Ireland pay the penalty? If they should bring in a bill applicable to the Volunteer Association alone, he should not object to vote for it. Ministers had called upon the House to grant this Bill, and had said, that Government would be responsible that its powers should be properly exercised. What, he would ask, was the amount of this responsibility? Let them go forward to next year, and suppose then that a case of peculiar hardship and oppression under this Act should be brought under the consideration of the House of Commons. He had no doubt that the good feeling which always actuated English Members towards Ireland, would induce them to cry out; " What a monstrous oppression!" It required, however, no great gift of prophecy to surmise or to declare what would be the result. The right hon. Gentleman opposite (Mr. Stanley) would inform the House that if they agreed to any resolution upon the subject, Ministers would consider such vote as a censure upon them, as being condemnatory of their conduct, and that under such circumstances, they would feel it necessary to resign their places. Neither did it require a spirit of prophecy to fortel the effect of such an announcement on the House. Every independent Member, though feeling the case to be one of gross hardship, would yet feel the importance to the country, of keeping the present Ministry in office, and the result would be, a large majority in their favour, that very majority feeling indignant at the hardship of the case, to which they could thus afford no redress. What responsibility, he should like to know, was there in this? Another reason urged for passing this Bill was, the confidence placed by the Government, in the character of the Irish Viceroy. He would ask, was it Lord Anglesey that was to put this Bill into force continually, or might not those who were to follow him pursue a course altogether different from that upon which he acted? It was said, that the Bill was chiefly directed against those who had entered into a conspiracy for the purpose of depriving the clergy of their property, but it evidently contemplated much more than that. In the course of the speech which was made by the Chief Secretary for Ireland, he had omitted to explain why it was, that the Crown had in selecting the Jurors at the various trials, left on the Jury all those who were in favour of a conviction, and removed all those who were adverse to it. That was the sort of justice which the right hon. Gentleman followed in selecting the Tithe Committee. He composed it altogether of Gentlemen of one side. He was not disposed to give to the Government such a power as this measure would confer, when they did not avail themselves of the first moment of calm to effect a redress of real grievances. He must say with regard to the landlords of Ireland who had been charged by Sir Robert Peel, with neglecting the comfort and welfare of their tenants, that they were as honourable a race of men and as much attached to their tenantry as any landlords in Europe. With regard to the Bill for changing the venue, he should not oppose it if it could be fairly shown to him that in any one case Juries had been intimidated from doing their duty.

Mr. *Lambert* said, there were two questions before the House—whether additional powers ought to be granted to Government, and whether the precise powers demanded were those best calculated to restore tranquillity? The speech of the right hon. Secretary for Ireland, able as it undoubtedly was, threw no considerable light on the subject; it was too much occupied with personal invective, and two little with the sound views of a judicious statesman; that speech contained a melancholy statement of crime, but it contained no sentiment of commiseration —it communicated no hopes of relief, and gave not the slightest promise of the beginning of that retribution and compensation which should atone to Ireland for centuries of misgovernment. The condition of Ireland was, however, correctly described in the speech. It was with a feeling of deep humiliation he heard the record of atrocities detailed, which struck at the root of all social order in Ireland; and he acknowledged that the moment was come when it must be decided whether the King's Government or agitation should be put down. The system of outrage had extended into the county of Wexford, which he had the honour to represent—a county during a long period distinguished for the tranquillity of the inhabitants, their industry, and obedience—and the system had not even what he should never consider as a palliation of crime, the existence of grievous oppression to plead in its defence. It was in fact, maintained solely by a set of miscreants and vagabonds. He would state one instance of their mode of legislation. They broke open the house of a poor man and placed him on his knees, ordering him to prepare for death. The man asked his offence: they answered, that he had spoken too freely of their proceedings, and shot him on the spot. His brains were then beaten out, and the mockery of sending for a clergyman was next gone through. Was it the constitutional rights of such ruffians the House was about to defend? To insist on maintaining the guard of law for men who trampled on all law, divine and human—who marked their enactments in characters of blood—was preposterous and absurd. Allusion had been made by a right hon. Baronet (Sir Robert Peel) to what he considered to be the unfeeling conduct of the landlords of Ireland towards their tenantry. He was sorry to say, that this charge was popular both in this House and out of it; yet he must observe, that it came with a very bad grace from the right hon. Baronet, one of whose measures the Act for the resumption of cash payments in 1819, had plunged the landlords both of England and Ireland into very great distress. On the subject of political agitation he meant to speak out. At present the public mind of Ireland was in a state of political delirium. There was generally in every village a little tyrant (or two) who called himself the people, and sent forth his mandates, prescribing how men were to think, speak, and act, declaring whom they were to receive and reject, and interfering in every action of their lives. He thought such a state of society anything but tolerable, and wished to see it put an end to. If local outrages were solely the things complained of, he would say, let Government put them down, as was done in England in the case of the Luddites, without asking for extraordinary powers. But when he saw the disturbances co-existent, if not connected with political agitation, such as now prevailed in Ireland, he felt that something more was necessary. He admitted there was no connexion between the movement and the murder party, but there subsisted a third party, the revolutionary, which was in the habit of using the name of Mr. O'Connell for purposes which that Gentleman would be the first to reprobate, and this party talked in mild terms of the disturbers, and addressed them, if not in the language of approbation, at least without reproof. It had issued a conciliatory address to the Whitefeet, and how did the title run? "To the degraded, insulted and trampled-upon people of Wexford." The writer afterwards said, "I admit that you are in a most wretched condition; you are insulted and beaten down; but do not commit murder. It is a bad system—it is shocking and horrible—it is forbidden by your best friends." That was the manner in which the conciliatory party addressed the people. But he wished to observe, that the Bill ought to specify the particular crimes it was intended to punish. Instead of this, what had they? Open avowals that it was designed to enforce the payment of tithes; but he, for one, would never consent to such measures intended to secure the payment of tithes. On the contrary, he would protest against applying them to any but crimes and the unfortunate political agitation. With regard to Courts-martial, he could for himself declare, that if he were about to be tried for any political offence affecting his life or property, he would prefer a Court-martial to any local or other tribunal. But the people of Ireland entertained for the very name of that court so fixed and determined a horror, that nothing could reconcile their feelings to it. It would be vain to say to them, that the Courts-martial could try for no capital offence, that prisoners would have the aid of the Judge Advocate. Courts-martial were indelibly associated in their recollections with the horrors of 1798. If, then, any other mode of trial could be substituted for the formidable and hated Courts-martial, he would support it. The right of making domiciliary visits was one he regarded with much dislike. When he reflected on the species of persons who were formerly selected for such purposes, and on those from whom they would probably be chosen for the future, he thought it unreasonable to insist on searching the House, if any individual did not appear at the door when called on. Was it not sufficient that the person by not appearing should be subjected to heavy penalties? The outrages, the violence which might be committed on those occasions, might not weigh much with the House; but would not the House save the inhabitants of Ireland from the bitter, galling, deadly insult which lacerated the heart. In his opinion, also, it was hard that no aggrieved person could obtain redress without appealing to the Attorney General. Why, would not double costs be sufficient? He had a painful but a paramount duty to discharge, and he would discharge it, though he knew the consequence would be, that he should be denounced in Ireland. The House would perhaps allow him to read an extract from a letter written by a friend of his: "If we are to live under a despotism, the honest and industrious people will suffer less, and prosper more, under the iron rule of an arbitrary Government, than under the yoke of impious and seditious vagabonds, who torment and precipitate the people to their destruction." With that sentiment he perfectly agreed. He would never consent to live under the despotism of confederated ruffians, or the searching, vindictive, self-constituted, and irresponsible power of political associations.

Mr. *Emmerson Tennent* was desirous in contributing his support to the measure under the consideration of the House to state as briefly as possible the considerations which would induce him to do so—not from any vanity in supposing that the expression of his opinions would exercise any influence in forming the opinions of others, but because he would not wish to appear rashly, and without due consideration to decide upon a measure so momentous in its nature, and so very rare in its enactment. In travelling out of the ordinary course of legislation as it was proposed to do in the present instance, two considerations naturally forced themselves upon the attention of the House, the one, the conjuncture of affairs which rendered such a divergence necessary—the other, the efficiency of the contemplated measure for meeting that imperative emergency. On both these grounds he felt that he was perfectly justified in supporting the Bill now pending. After the exposition of the affairs of Ireland which had occupied, he might say exclusively, the attention of the House since the commencement of the present Session; after the statements which they had had not only from Gentlemen on that, the Ministerial side of the House, but likewise from hon. Members on the other, respecting the anarchy, violence, and crime, which had lately characterised the state of society in that ill-fated country, he felt that no further observation was requisite to show that a crisis had arrived in the social and political condition of Ireland, not only unprecedented in her history, but even unexampled in the annals of modern Europe—for he might safely say, that with the exception of the brigands of Calabria, or the Kleftis of Albania, no one district of Europe could afford anything like a parallel for the present disorganised predatory condition of the south of Ireland. The statistical returns of crime in that country, presented a catalogue of offences not only appalling in their nature, but almost incredible in their extent—the rights of property seemed to be regarded with derision—human life, from long familiarity with murder, was looked upon with indifference—links that bound society were virtually dissolved, and social order had become in the south of Ireland but one conflicting, self-destroying chaos. But the evil did not even end there; for fearful as that picture was, it still remained to be told, that for that awful state of disorganisation they possessed in Ireland neither remedy nor protection. That salutary and controlling power which the state would exercise in other countries, had ceased to operate in Ireland; the authority of the Government was extinct; the force of the executive was controlled and evaded by the force and acts of the insurgents; the law, having ceased to be feared and respected, had ceased to be enforced, and,

> "—————— Our decrees
> Dead to infliction, to themselves are dead."

They had laws, to be sure, in Ireland, but they existed only in the letter, a power superior to the law alternately enforcing and controlling them—to-day the mandate was issued for resistance, and to-morrow the "pacificator" was despatched throughout the land, to preach to the infuriated peasantry "thus far should ye go, and no further." With what opinion must the state of Ireland be regarded in the other countries of civilised Europe, when one individual could assume to say that he would effect that which the Government had been unable to accomplish—the tranquillisation of the country—when he could virtually say "the law has failed, the Government has failed, the provisions of the Constitution have failed, the civil force has failed—aye, even a military force has failed—but I possess an influence superior to the law, to the Government, and to the Constitution—I possess a power superior to the civil or to a military force, and my vicegerent shall accomplish that which the vicegerent of the King has found himself powerless to effect?" It was as a remedy for this unnatural state of disorganisation that he was prepared to support the present measure; as a measure tending to restore efficiency to the law, authority to the Government, security to the subject, and tranquillity to the country—as a measure tending to bring within the reach of the Constitution those who were now excluded by violence from its protection, and to bring within the control of the Constitution those who now arrogated and aimed at a power and an influence beyond it. He did not mean to deny, that the present state of anarchy and confusion might have been earlier checked, by the application of more constitutional measures than that now proposed, had circumstances admitted their introduction; that the first symptoms of discontent might have been appeased by the passing of measures tending to give labour to the unemployed, and food to the destitute; and that even its latter increase might have been arrested, and patience and subordination enforced by the vigorous exercise of those more constitutional powers with which the Government were already invested—but whether it arose from too great delay in the introduction of the one, or too great leniency exhibited in the application of the other, it was now a painful and an indisputable fact, that the evil had, at length, attained to such a height that in his mind, and he was sure in that of the majority of Members in that House, nothing save extraordinary remedies were now applicable to the extraordinary stage of the disease. That crisis, too, he was perfectly willing to admit had arrived, not through any want of sufficiently striking enactments against crime, but from a difficulty daily increasing, till at length there had become an impossibility of enforcing them. It was as a remedy for this glaring evil that he was inclined to favour the present Bill—not as enacting any fresh punishments for offences, but as giving action and effect to those which the law had already fixed. It was a principle established from an early period, and supported by the authority of every writer of eminence on the science of legislation, by Montesquieu and Beccaria, as well as by Sir Samuel Romilly, and the late Reformers of the penal code, that human corruption arises more from the impunity of the offender than from the moderation of the penalty, and that crimes were more effectually prevented by the certainty than by the severity of punishment. It was in strict accordance with this sound and salutary principle, that in his opinion the present measure was constructed, for, on looking over the whole Bill, he could not discover that in any one particular it increased in any degree the penalties already defined for those offences, of which it professed to take cognizance, and that its general and indeed its only object was to give efficiency to existing enactments, and to enforce the observance of existing laws. It was at the present moment a matter of painful notoriety, that in Ireland the chances of impunity were as a thousand to one in favour of the most ferocious offender. Indeed the very depth and heinousness of his crimes served but to enhance the motive for their concealment, till at length the robber, the incendiary, and the murderer, could walk abroad with impunity, conscious that their victims dared not breathe their partial wrongs, lest peradventure a worse thing fall upon them; conscious that the Magistrates through partiality, or timidity, or fear, dare sign no warrant for their apprehension, and conscious that the tongue of the witness and the voice of the juror were alike silenced and suppressed by the threat of open violence, or the terror of some undefined but not less certain retribution. It was this barrier to the course of all justice, that the present measure was calculated to break down, and regarding it in this point of view, and he contended, that in none other could it fairly be regarded, he could only look upon it as a precautionary and a preventive, rather than a penal enactment, and as tending to reinforce and to support, but not to increase the severity of existing laws. But independently of these considerations of expediency and utility, applicable to the country in general, the Representatives of the north of Ireland in that House were, in his opinion, imperatively called upon to support the present measure from motives of self-preservation, and on grounds peculiar to their own particular district. That district, with very few exceptions, might be said to be as yet free from the contamination of the political contagion which was devastating the south. But what security had they for the continuance of the exemption? Even whilst he was speaking, the poison had in some degree communicated, and its influence was beginning to develop itself in the north. The nightly visits of the Whitefeet had commenced in the county of Armagh; during the last few days, instances had occurred, in that hitherto peaceful district, of houses being broken open and murders attempted by midnight marauders in quest of arms. And what had the hon. and learned Gentleman, the member for Dublin—what had he said to them on a previous occasion, relative to the north of Ireland? Had he not told them that the Roman Catholics of the north to a man were arming themselves in secret, and had carried their organization to such a height, that the whole extent of that externally peaceful province had become but one "slumbering volcano," above which we were treading in fancied security. What arguments, then, more convincing could be adduced for impelling the Representatives of the north of Ireland to support his Majesty's Ministers on the present occasion, than those with which the hon. and learned Member had thus himself supplied them? Were they to go on blindly under the present system, deceptive and defective as this statement of the hon. Member had shown it to be, till the very mine of which he had charitably forewarned them was opening beneath their feet—or were they not called upon by the instant adoption of fresh and vigorous precautions to break the train, and to avert the fearful explosion? As they valued their personal safety then, the protection of their homes, and the security of their families, they were bound to come forward in support of the present measure. That security which the inhabitants of the north had hitherto enjoyed under the protection of the Constitution, the hon. and learned Gentleman had demonstrated was fast failing them, and nothing now, save the adoption of more determined and vigorous precautions, could protect the north from the contagion of the moral pestilence which was desolating the south of Ireland. The Gentlemen on the other side who were opposed to this measure had obviously laboured to draw a wide line of distinction between the nature of the two kinds of disturbance which at present distracted Ireland; between that which is the result of misery and destitution, and that which arises from political discontent; between that which is attributable to lawless turbulence, and that which is attributable to systematic agitation; between the predial insurrection and the political insurrection, as the two had been severally denominated. Now, admitting this distinction in its widest extent. He could not conceive any possible reason why Gentlemen, who were friendly to the one should be so determined in their opposition to his Majesty's Government in putting down the other. The only inference deducible from such a fact must be, that if there were no open connexion there must be at least a concealed dependency between them, and that the continuance of the one, if it were not avowedly essential, was at least covertly favourable to the perpetuation of the other. But, on the other hand, if he could accept the disclaimer of the hon. Members opposite—if he could suppose their alarm was only sympathetic, since the same blow which laid prostrate the one, would, in all likelihood, annihilate the other, if he could admit, that the hon. Members on the other side of the House were as anxious as the majority on that for the suppression of the predial disturbances, it followed, that concurring in the object, they differed only on the question of the means proposed by his Majesty's Ministers. And if, therefore, the sole grounds of their hostility consisted in dislike to the measure now under the consideration of the House, he begged leave to ask them with what other measures, with an appearance of like adaptation to the object, had they proposed to replace them? The present awful state of anarchy and insubordination in Ireland attested beyond a shadow of doubt, that the old machinery of the Executive had become defective, valueless, powerless. With what new machinery then did they propose to replace it? If he were to judge from the line of argument which they had adopted on the present occasion, he should be inclined to answer for them "with none." They stated, that the evil had not yet risen to such a height as to warrant this extraordinary interference. They stated, that crime was not even on the increase. The hon. member for Birmingham had asserted, that there was equal turbulence and agitation in Ireland twelve months, ay eighteen months ago; and another hon. Member had demonstrated by a statistical return, that offences against the peace were more numerous in 1827 than in 1832, and equal in extent and atrocity in 1830 and 1831, to what they had been in the year which had just closed. Even admitting, then, the accuracy of those statements, which he was inclined to dispute, he would simply ask how long was this system; even supposing it not to be on the increase—how long was it to continue? How long were they to continue to live on under this reign of turbulence and terror? If for three years, or for four years, or for seventeen years, as the hon. member for Waterford had just informed them, a widely-spread conspiracy had succeeded, in spite of all the exertions of the Government, in continually violating the public peace, and openly defying the law—when, he would ask, was the period to arrive at which the Legislature would be warranted in adopting new and more powerful expedients for its suppression? How many fresh murders did they want to complete the complement of blood? How many fresh burnings and burglaries—how many assaults and assassinations, were still wanting to justify the Government in adopting measures of protection and precaution, and for putting down political agitation? The House was already in possession of the remedies proposed by the hon. and learned member for Dublin. He had given a full exposition of the evils of the Grand Jury system—of the Church and County Cess—of the enrolment of partizan police—of the commissioning of party Magistrates — of the exclusive appointment of Protestant Assistant Barristers—of the dependency of the Irish Judges on the Government—and lastly, of the interminable train of diseases which the opening of that box of Pandora, the legislative Union had let loose on devoted Ireland. Reform in many of these would, he fully admitted, take away much of the grounds of political agitation, but how could it possibly affect the predial agitation, of which they now complained? Would the robber be turned aside from his pursuit to listen to the injustice and jobbing of county Grand Juries? Would the murderer pause above his victims for lectures on the Protestant monopoly of legal appointments?—or the incendiary be diverted from his object by strictures upon the salaries and nepotism of the Irish Judges? Attention to matters such as these might serve to disarm the political agitation, but could never reach the evil against which the Government was now directing its authority. Again, the hon. member for Colchester had opposed the present measure, on grounds drawn from a comparison between the state of crime in that country, and in Ireland. Violence, he stated, and excesses had within the last two years attained to a greater height in England than they had yet done in Ireland, we had had there no city pillaged and consumed like Bristol, no castle plundered and consumed like Nottingham, no one county in which agrarian insubordination had attained so fearful a height as it had lately done in Hampshire. Yet, because the Government had not found the necessity of adopting similar measures to the present in England, the hon. Member contended, that they could not be requisite for Ireland. Then, the hon. member for Meath had taken up a similar position with the member for Colchester; he, too, had appealed to Nottingham and to Bristol, and he had answered the query why the Government had not adopted such measures, by saying, that it was, because the evil was but local and partial in its extent, and consequently he asked, by a parity of reasoning why the Government would not abstain from introducing them into Ireland where the evil is but local and partial likewise. The premises of the hon. Gentleman were incorrect, and consequently their conclusions were erroneous. It was not because the evil in England was not fearful in its nature, and extraordinary in its amount, that his Majesty's Ministers had not adopted extraordinary expedients for its suppression. It was not, as the hon. member for Meath had supposed, because it was but local in its extent, and partial in its influence, that the Government had not gone beyond the ordinary forms of law presented by the Constitution. It was because the provisions of the law, as it at present exists, were found adequate to the emergency, that they did not find themselves under any necessity of resorting to provisions beyond them. It was because at Bristol, and at Nottingham, and in Hampshire witnesses, were found to bear their testimony, and Juries to convict upon it—because it was found that criminals could be speedily and effectually brought to punishment—because the laws could be enforced, and justice vindicated by the ordinary means, that they abstained from any extraordinary expedients. A misconception seemed to exist, not only in that House, but likewise beyond it, relative to the nature of the necessity by which Ministers seemed to feel themselves impelled to the adoption of their present course. Hon. Members seemed to consider that it was the amount of crime in Ireland which was to be the criterion, when it was, in reality, not the amount, but the impunity of offences, which constituted the impelling motive. Fearful as the catalogue of offences was, which night after night had been read in that House, it might be doubled, nay, it might be even trebled, if the imagination could conceive so awful a state of society; and still so long as it could be demonstrated that the ordinary powers of the law could punish and suppress them, there would exist no necessity for stepping beyond the provisions of the Constitution. But, diminish the amount of crime as much as possible—reduce it to the minimum of offence of which the law is bound to take cognizance—and the instant it can be shown that the law had not the means to reach, or the authority to correct it, that instant the public safety demands that it should be invested with fresh powers for the vindication of justice, and the protection of the subject. If it were, as he believed it was, the first duty of a state to provide for the protection of its subjects, never was there a crisis at which the Government of Great Britain was so loudly called upon to exercise that duty as the present. They were in the habit of hearing, in that House, much of the massacres of the people by the yeomanry—much of the atrocities of the partizan police—much of the blood which has been spilled in Ireland; they had a fearful, and, he doubted not, a faithful detail of the dying sufferings of every unfortunate wretch who fell in the face of day, in conflicts with the forces of the Government; but they heard little of the living sufferings of the miserable peasant who was forced to retire with his children in terror to his rest within his miserable hovel, whose roof presented but little shelter, and whose hingeless door afforded no protection—they heard but little of the anxious throbbings of his heart throughout the livelong night, who fancied in every blast an enemy, and in every footstep an assailant—they heard but little of the wailings of her whom the midnight murderer had robbed of her protector, or the woes of those whom the knife of the Whiteboy assassin had deprived of a fireside and a friend. They heard but little of the alarms of those who were compelled to be daily associates of murderers, with the hourly apprehension of becoming their victims—they heard but little of the indignant feelings of those who, day after day, must meet face to face, the assassins of their relatives, or the oppressors of themselves, yet were compelled to silence by the example of their fate, and forced to forego their claims to justice, and their rights to retribution. It was from hearts like those, that the present measure would lift a weight which was crushing them to the earth. To how many thousands, nay, he might say to how many millions in Ireland would the announcement of the passing of this Bill come like a reprieve from execution, like a release from torture—its effects would be in Ireland like the outstretching of a hand to wake her to a sense of real security from the horrors of some hideous dream. But let the House beware of deceiving themselves—even when this measure should have performed its object when it should have effected that which he believed it speedily and effectually would effect, the tranquillization of the country—let the House not then suppose that the work was completed. That step, great and important as it was, was but the forerunner to those other measures, the introduction of which could alone give that tranquillity permanence. The immediate and moving cause of all the turbulence which distracted Ireland was poverty. He said, of all the disturbance, for he looked upon the predial agitation as but the embryo of the political agitation, and he believed that the "fiercest agitator" who ever went abroad upon his mission would fail of his object, had he not brains maddened by misery, and hearts rendered reckless by want, as his materials to work upon. Elevate the condition of the people; give labour so far as it could be given to the two or three millions who might be said to be but cumberers of the ground in Ireland; supply food to those who were starving; provide a permanent support for the helpless and the infirm—and the occupation of the agitator would be gone for ever. It mattered little by what expedient this was to be effected—whether by Poor-laws or otherwise; but until it was accomplished—until that principle was in active operation, until the Irish peasant had the means of procuring at least sustenance and clothing, the reign of agitation would be perennial in Ireland. He (Mr. E. Tennent) had trespassed too long upon the patience of the House. He apologised for it, and thanked them for their indulgence. He was no advocate, as he had already stated, for severity in penal legislation, and he supported this measure, because he looked upon it as a preventive and precautionary, rather than a penal enactment. He was a friend to liberty—to rational liberty—to that liberty which, as Burke said, was "not only co-existent with good order, but which could not exist without it;" and he supported this Bill, because he believed in his soul, that its immediate tendency would be to restore liberty, security, and good order in Ireland. From many of its details, he dissented *in toto*—but his disapprobation of these, he could for the present merge in his approbation of the majority of its provisions; and reserving to himself the right of questioning their propriety at the proper time, in the committee, he would now testify his approval of the principle, by voting for the first reading of the Bill.

Mr. *Fitzgerald:* As a representative of one of the counties in Ireland, to which particular allusion had been made in this debate, and as one of those which the right. hon. Secretary for Ireland states is in a state of disturbance beyond the ordinary powers of the law to put down, I hope I may be allowed to claim attention to detail a few facts to rescue it from this unjust imputation, and to place it in its true position before the House and the country. The right hon. Gentleman has given a recital of crime in Ireland, which must create horror in the mind of every man; but I followed him in his various details, and all that he has charged to the county of Louth amounts to this.—Two letters containing general assertions, and not of recent date, some windows broken, and one witness and a Juror being prevented by fear from doing their duty. Now, Sir, as to the windows, I fully admit it, and a good deal more; for there was, I regret to say, much outrage done in plundering arms and private property; but I do say, thank God, that no crime of a sanguinary or a murderous nature was perpetrated there. These outrages were, however, suppressed by the application of the Peace-preservation Act, and I have the best authority to say, that the county is restored to tranquillity and good order. In admitting this, I must, at the same time, deny, most positively, that any juror was ever prevented, by fear, from attending to do his duty, and to assist, where necessary, to punish the guilty. Sir, it is a calumny against the county, for it has been ever distinguished for fearless and honest jurors—it abounds with a spirited and a wealthy yeomanry, who may vie with those of any county in the empire, and who, in the worst of times, when the Judges thought it necessary to travel with military escorts, anxiously came forward to assist the majesty of the law, and maintain the purity of Trial by Jury. I cannot do better than quote a few words from a petition I have to present to this House from a district of the county—it states, "that in answer to a charge reported to be made by his Majesty's Ministers, as a ground for coercive measures, they beg to state and maintain, that the due administration of justice has not been obstructed in this county, within the memory of the oldest inhabitants, by reason of any difficulty to obtain fearless and independent Juries to try offences on all occasions." This is, Sir, the case at present, and I wish to dwell on it as the want of Jurors is a principal reason alleged for asking for this unconstitutional, this abominable measure. The outrages I have alluded to had their origin in the following manner: About eighteen months ago, a large body of labouring men turned out for increase of wages, and for lowering rent, and became very numerous, and created alarm; the magistrates and farmers had several meetings, and, finally, the cause of complaint was removed; but just at this time, the great and principal grievance of Ireland, to which, in my conscience, I attribute all the disquiet, outrage, and murders that have so unhappily occurred, came under the consideration of this House, and hopes were held out from the lips of the right hon. Secretary, that this great evil would be removed for ever, (for I defy his words at that time to be construed otherwise); all was joy and consolation, but it was short indeed; and in proportion as the disappointment was great and unexpected, so was the irritation increased; and there being naturally amongst the labourers already alluded to, some of the very lowest, the mere rabble, advantage was taken by them of this event, and bands of ruffians were certainly formed, but not exceeding, as my letters tell me, 100 in all, who did commit outrages to a great extent in a portion of the country; but the law as it stands has been fully equal to suppress them, and the people are returning to a sense of their duty, by sending back the arms they plundered, and which they took with the expressed intention to oppose the payment of the tithes. I have letters from two of the Deputy-lieutenants of the county, confirming this statement, and coming from such authority, it must remove all doubt on the subject. The first is from Mr. O'Callaghan, and he says, "There is nothing here but additions to the police force, yet I never knew, with a few exceptions, this quarter of the country less disturbed. Sir Patrick Bellew, from whom I had a letter a day or two since, says the same for his part of it." The other is from Mr. Taaffe, and he says—'You will be glad 'to hear the country is getting peaceable; 'in this part of it outrage has much diminished since it has been put under the 'operation of the Peace-preservation Act, 'and this goes to prove that the law as 'it now stands is quite sufficient without 'the application of any unconstitutional 'powers—if there is only common justice 'done to Ireland, you will hear no more 'of the Repeal of the Union; but the 'King's Speech, coupled with Mr. 'Stanley's first speech, went further to 'make men repealers, (who were not so 'before), than anything that has yet been 'said or written on the subject.' I hope I have now, Sir, maintained my position, that the county Louth, one of those on which the right hon. Secretary rests his case, does not bear him out in it, and that it is not deserving the stigma endeavoured to be cast upon it. I have admitted, the people have committed outrages in Louth, and it is, therefore, my equal duty to mention, that outrage has been committed upon them also. It is only within three or four months that two poor men were committed to the gaol of Dundalk for a simple assault, at the Pattern of Omeath, in July last, and kept in prison for nearly six weeks, though bail was tendered over and over again. The assault was, to be sure, on the Magistrate's brother who took the informations, which does not, in my mind, lessen the circumstances of the case, but rather otherwise. He refused to take bail, but referred them to another bench, who, properly enough, perhaps, sent the bail back to the original Magistrate; the same thing again, occurred, and so on; and thus a game of shuttlecock was played, while the poor unfortunate men were kept nearly six weeks in prison, and deprived of the means of earning daily bread to support their families. In this state I happened to arrive in Dundalk, and as the bail was not that day ready, and I was going to Dublin, I thought it most prudent to state the affair at the Castle. The right hon. Secretary was in England, but I saw Sir William Gosset, and Counsellor Greene, who were shocked certainly at this unwarrantable confinement, ordered a liberation forthwith, and said, the Magistrate had subjected himself to a severe action at law. But I do know (though I certainly did not ask it, nor think it my duty to do so), that an inquiry on the part of the Government was expected, and would have given more satisfaction than any vindictive law proceedings. There is another case, that of a policeman of the name of Campbell, who after a dispute at a public house in Carlingford, with a countryman named Murphy, went deliberately to his barracks for his arms, returned to the House, and stabbed his victim to death. He was tried—escaped the capital part of the charge by a miracle, but was found guilty of manslaughter, and sentenced to eighteen months imprisonment. No sooner, however, was he released than he was reinstated in the police as a deserving subject, and sent to the south of Ireland. Is it to be wondered at, therefore, that the people of Ireland should be discontented and cry out against their grievances? Do common justice to her first, and then treat her with rigour if the peace of the country is disturbed, or the laws are outraged. If a single opinion is worth anything towards removing their grievances, I will say to the right hon. Secretary that the hatred to the payment of that obnoxious impost, the tithes, is so deep-rooted, that without their total abolition, he can never legislate for Ireland with good effect, or with a due regard to the tranquillity or safety of the empire. Let the measure before the House be decided on inquiry. It is of too serious a character, and involves too important consequences to be treated otherwise with propriety, and I shall decidedly vote for the amendment of the hon. member for Lambeth. Every day in the mean time will bring the official results of the assizes now going on in Ireland, and the House will then, at least, be better able to judge of the necessity of this despotic Bill. For my own part, I candidly say, that nothing short of open rebellion, and the country in possession of a foreign enemy, would ever reconcile me to its arbitrary features, and therefore, I again say, I shall vote against it in all its stages.

Lord *Duncannon* said, that after what had fallen from the hon. and learned member for Tipperary (Mr. Sheil) on a former night, he felt himself bound, in justice to himself, and to those with whom he acted, to address a few observations to the House. That hon. Member had asked him (Lord Duncannon) how he could support this Bill, and also whether he could state, that the increase of crime in the county of Carlow had been such as to render such a bill necessary there. Now, he was ready to say that he felt it his duty to give his support—his reluctant support—to the present Bill; and also that he could state that the increase of crime in the county of Carlow had been so great, as would appear from the official return made to him since he had been appointed Lord-lieutenant of that county, as to justify and render absolutely necessary the application of such a measure there. In fact, it would appear from that return, which he would read to the House, that the increase of outrages in the county of Carlow had been as great as in any of the most disturbed counties in Ireland, with the exception of the county of Kilkenny. The return which he was about to read embraced the four quarters of the last year up to the 1st of December 1832, and the two months of December and January that had since elapsed. This return, he begged to observe, had been made to him (Lord Duncannon) by the chief constable of police in the county of Carlow. ["Hear," *from Mr. Sheil.*] The hon. and learned Gentleman cheered that statement, but surely the hon. and learned Gentleman must bear in mind, that it was only through the chief constable of police in that county that he could have possibly received such a return. It appeared from that return that the number of outrages committed in the county of Carlow in the first quarter, commencing the 1st of December, 1831, was forty-six; in the second quarter, ending the 31st of May, eighty-nine; in the third quarter, ending the 31st of August, sixty-eight; in the fourth quarter ending the 30th of November, 116; and that in the two months that had just elapsed, namely, December, 1832, and January, 1833 (he would take the two months because the quarter was not yet elapsed), the number of outrages that had taken place in that county had amounted to 413. He would remind the hon. and learned Gentleman, the member for Tipperary, that the county of Carlow was about the smallest, if not the smallest, county in Ireland; and, furthermore, that the Roman Catholic bishop who presided over the diocess in which that county was situate had used his utmost exertions, and used them successfully, too, within the last two or three months, to put down Whitefeet outrages there. The hon. and learned Gentleman had asked whether there were any circumstances to which he (Lord Duncannon) could speak from his own personal knowledge, that would induce him to give his support to this Bill. Now, he did not certainly support the Bill merely upon the official return of the chief constable of Carlow which he had just read to the House, but having resided during the greater part of the last autumn in Ireland, principally in the county of Kilkenny, from what he had then seen he had made up his mind to support such a bill as this; and he was then convinced that some such measure was absolutely necessary to afford protection to those who had a right to demand it. He could assure the House that, stating what he was about to state, he would mention nothing that had not come under his own personal observation, and to which he could speak from his own personal knowledge. It was, in the first place, his firm belief, from what he had seen, that many, if not most of the respectable farmers in the lower part of the county of Kilkenny—farmers who had held their lands for ten, fifteeen, or perhaps twenty, years, had received notices from the Whitefeet to give them up, and that several of them, alarmed by such species of intimidation, had actually done so. He could speak to the effects of such intimidation in the instance of several of his own tenants in the lower part of the county of Kilkenny. He had no difficulty in mentioning the fact, as his tenants had waited upon him in a large body, stating that a number of them had received notices from the Whitefeet, (and certainly the majority of those tenants had held their farms for at least twenty years), ordering them, under dreadful threats, to give them up to the persons who had held them twenty years before, and that they were anxious to do so in order to escape the outrageous attacks upon the persons and properties that were sure to attend their refusal to obey the commands of those ruffians. He (Lord Duncannon), however, prevailed upon them to retain their farms, and he used his utmost exertions, in which he was actively assisted by the priest of the parish, in endeavouring to prevent the effects of those menaces which had been held out against his tenants for taking his advice. He was sorry to say, that their exertions failed. The consequence of his tenants retaining their farms was, that their houses were burnt, their cattle were houghed, and in the end he was obliged to receive their lands from them. But let not the House suppose, that in doing so, he had given over his land to those to whom the Whitefeet had directed that it should be given. He converted the whole of it into waste land, and he was obliged to keep it waste still, in order to prevent others from living upon it. Such was the system of outrage and violence, that prevailed in that county, and such was the state of fear in which the respectable farmers were kept, that they were afraid not to obey even the most unreasonable orders of those midnight marauders. He had several notices brought to him by his tenants, which had been served upon them, in which not only a certain price was fixed for the land, which the landlord was to take, but they were menaced in the most dreadful manner, with destruction to themselves and their families, if they dared to give more for it. He could also state that, in many instances, respectable farmers, tenants of his own, who had been called upon to serve as jurors, had waited upon him for the purpose of seeing if he could get them excused, and they had stated that, if they were called, one of two things must happen—either that they must do their duty, and thus expose themselves and their families to destruction, or pay the penalty of 10*l*. or 20*l*. inflicted by the Sheriff. The fact was, that at the present assizes for Kilkenny, the Sheriff had received so many notices of inability to serve on the part of Jurors, that he had found it necessary to summon them under an increased penalty of 50*l*. It was because he (Lord Duncannon) thought that such a state of things ought not to continue—because he thought that protection should be afforded to the helpless and the guiltless—because he thought the outrages of midnight marauders and ruffian murderers should be put down, that he should support, most reluctantly indeed, but at the same time, notwithstanding what had fallen from the learned Gentleman, most firmly, the present Bill. He thought, however, that in justice to himself he should say, that he did so upon the clear understanding that this measure should not be applied to the enforcement of the collection of tithes; for he believed that the efficacy of the measure would be altogether destroyed if the people of Ireland were not sure that it would never be applied to such a purpose. From the observations which had been addressed to him by several Members of that House, since the speech delivered by his right hon. friend the Secretary for Ireland, he must say, that what his right hon. friend had said upon that point had been much misunderstood. He should be unfit to live in a civilized country if he did not say, that there should be protection for every clergyman, for his family, and property, as well as for every other individual. Most gentlemen in Ireland had seen the notices that had been posted up in different parts of the country. He had one, which had been forwarded to him that day. It would convince the House of the sort of menaces used, and that what he had heard once or twice in the course of the debate was not the fact—that these notices emanated from the most illiterate persons. It was addressed "To the parson of——" he should not read the name of the parish, nor the name of the clergyman, which was afterwards mentioned, but the House might rely on the authenticity of the paper; he knew that it had been taken down from the Church-door:—'You are called on 'by the Lord Lieutenant to pay the arrears 'of tithes for the year 1831; beware how 'you act in this case; the eyes of the 'people of Ireland are upon you; now or 'never; this is the time for you to stand 'out manfully, in common with the rest 'of your fellow-countrymen. Remember 'that Ireland in 1832 is not the same 'Ireland as in 1798. Gibbets, and pitch-'caps, and triangles, were then the order 'of the day, from one end of the kingdom 'to the other. Thank God! the day has 'arrived when the good sense and energy 'of the people have put a stop to the pro-'ceedings of our unprincipled rulers. 'We are informed that a few of your pa-'rishioners have paid the parson; we 'are acquainted with their names and 'persons; and let them depend on it, if 'they do not give satisfaction why they 'have done so, that some visiter in the shape 'of "Swing," perhaps, will before long, 'bring those people to a proper sense of 'their duty * * * * * 'To the parsons we would say, beware 'how you be made an instrument in the 'hands of a Government that is detested 'by a majority of its own subjects. Re-'member, that when the Peelers are 'slumbering in their barracks, or Lord 'Anglesey carousing in the Castle of 'Dublin, the people will be at their posts. 'You, parsons, if you persist in goading 'the people, may meet your fate when you 'least expect it, and that without even 'seeing the hand-writing on the wall 'to forewarn you of your doom. Take 'this as a last and friendly warning. 'Signed by order—A Tithe-hater.' This prediction had been fulfilled; six or seven persons had met their doom when they least expected it, in the open day, and before multitudes of people. A notice of this sort could not be disregarded by any man; if he did disregard it, he met the fate pointed out. The only way, therefore, of protecting life and property was by some such law as that proposed. He might be asked whether this Bill would produce permanent tranquillity in Ireland? He did not think it would, but it would afford time to redress those grievances under which the people suffered, and which had been promised to be redressed by every government in Ireland since he had had a seat in that House. Many of these subjects had been brought before the House by his right hon. friend, but, unless there was an abolition of the tithe system, he never hoped to see tranquillity in Ireland; and though the difficulty might be great, he was confident that Parliament must turn its attention to some provision for the poor. He begged pardon of the House, but he had been anxious to enter into this explanation in consequence of certain imputations of a difference of opinion between himself and his right hon.

friends near him upon these topics, having been thrown out on a former evening.

Mr. *Buckingham* addressed the House in opposition to the Bill, as was understood, for the unwillingness of the House to hear the hon. Member was so great, and the noise so much, that it was impossible to catch the purport of his remarks. It was ascertained that he objected to confiding such large powers to the Government, that the best way to strengthen a Government was to convince the nation that it was just, that the Irish were a generous and confiding people more likely to be affronted than reconciled to the Government by a law such as that proposed, and that the surest and most effectual method of putting an end to outrage was to do justice to the people of Ireland. The hon. Member at length observed, that if the House would not permit him to proceed, he should move an adjournment, which he accordingly did, and on its being seconded,

The Speaker put the question as an Amendment.

Lord *Althorp* thought it somewhat unusual for an hon. Member to attempt to adjourn the business of the House, merely because he was not attended to quite so much as he wished. If the hon. Member had had more experience in the House, he would not have proposed to adopt such a course. For his own part he heard perfectly well what the hon. Member said. He hoped the hon. Member would not persist in his Motion.

Mr. *O'Connell* hoped the hon. Member would be heard with attention. He thought the candour of the noble Lord might have admitted that there was some disturbance while the hon. Member was speaking. Though he had been listening, he had not heard three sentences, and many on his side of the House were in the same situation. He considered half-past eleven too early for an adjournment. They had heard those who supported the measure, and it was right to hear those who opposed it. He concluded by advising Mr. Buckingham to withdraw his Motion. He might renew it if the House did not listen to him.

Mr. *Buckingham* said, he should be happy to resume his speech. He expressed his decided hostility to this Bill on various grounds, but more particularly to that portion of it which substituted Courts-martial for the ordinary tribunals of the country, as he thought that crime could be as fully and more constitutionally repressed by the one than the other. It was besides a measure as applicable to this country as to Ireland; and if they permitted it to pass into a law in the one instance, they knew not how soon they might be called upon to do so in the other. He objected also to the extraordinary powers which the measure gave to Lord-lieutenants, military officers, and others, because he was well aware how liable those powers were to abuse. On these grounds he would oppose the Motion.

Mr. *Ward* said, the proposal to adjourn the House at half-past eleven came with a very bad grace from the hon. Member, who had proposed to limit the time of each Member's speaking to a quarter of an hour, when he had himself exceeded that time. How had the brunt of the debate been allowed to fall on the minor fry of debaters (of which he allowed that he was one)? The Opposition attempted in vain to obscure a subject, over which the right hon. Secretary for Ireland had shed so overwhelming a flood of light. He should state the reasons why he disapproved of the Motion of the right hon. Gentleman, the member for Lambeth, and approved the main principles of the Bill brought in by his Majesty's Government. But for what had fallen from the hon. member for Waterford, he should have thought that what had been said by a right hon. Baronet would have been sufficient to show that a more palpable evasion of the question had never been submitted to a deliberative Assembly. The hon. and learned member for Dublin had challenged the production of proof of the necessity of this measure at the bar, and pledged himself to refute it; and nothing was apparently more candid. But they knew, that evidence could not be given honestly at the bar of that House, without the destruction of the party who gave it. He would be denounced, proscribed, and compelled to pass his life an exile from his country. It would not be in the power even of the hon. and learned member for Dublin to save him or to quell that spirit which sprung from the agitation of which he was the centre. It was most important for Irish Members to know that there was no indisposition in that House to do justice to Ireland, and to listen to their arguments; but every English Member must be convinced that this measure was called for, unless they wished to see the dismemberment of the empire. It must be admitted that this Bill suspended all the constitutional rights of the people, but still the measure was necessary. Measures of coercion alone, however, were not sufficient; yet, at the same time, if there was even a state of things in which remedial measures alone were useless, that state existed in Ireland. When it was said, that this was a gagging Bill, he entreated Irish Members to think better of that House and the Government. That was not the feeling under which English Members voted; they would not give one particle of power to his Majesty's Ministers unless they thought they intended to grant redress to Ireland, which would alone give efficiency to this Bill. They wished redress to accompany coercion, for in that lay the difference between the conduct of the Reformed Parliament and the Grey Ministry, and the Polish delinquencies of the emperor of Russia. The Government stood pledged to grant a Reform in the Church, in the Jury system, and in the Corporations of Ireland. The hon. and learned member for Dublin would find him ready to vote for any measure which he brought forward for the benefit of Ireland, provided he showed a little good faith to them—he meant nothing invidious. Let him pursue a really useful course, and agitate for the benefit of his country, abandoning that phantom, which would always elude his grasp, the Repeal of the Union. In that object not a man amongst them, the English Members, he hoped, would follow him. Nothing should induce him (Mr. Ward) to vote for a measure which was fraught with national degradation and national misery.

Mr. *Bayntun* said, as he should shortly be called upon to vote on this most important question, if he did not with regret pursue a different course to what he generally had followed since he had a seat in that House, in opposing his Majesty's Ministers, he should not have offered any observations to the House, knowing, as he well must, that most other hon. Members would be listened to with greater attention than he should. He should, therefore, state as concisely as possible, the reasons why he should support the proposition of the right hon. member for Lambeth, which, if carried, would amount, he thought, to a defeat of this measure. The noble Lord, the Chancellor of the Exchequer, and the right hon. Secretary for Ireland, in his able and most eloquent speech of the first day's debate, stated to the House that the sole justification the Ministers of the Crown could give to the country for the proposition they offered, was the ground of a stern and arbitrary necessity—a necessity which left them no alternative but to make this application to Parliament to give them powers beyond the law, to provide for the security of the life and property of the subject out of the confines of the Constitution. Now, let the House see how they had attempted to prove this proposition:—by detailing any overt acts of treason, or civil conspiracies, or rebellions in Ireland, levelled against the dominion and sovereignty of the Government? No; but by exhibiting a long catalogue of offences and crimes, murders, midnight burglaries, burnings, and illegal notices, which unquestionably had been perpetrated, but which the regularly constituted tribunals, with the assistance of the gentlemen of Ireland, were, he believed, sufficient to quell. That crimes existed in Ireland to a tremendous extent—that burglaries and midnight assassinations were mightily on the increase—was, perhaps, unhappily true; but let him ask every thinking man to what were these horrors to be attributed? Why, the noble Mover of the Address to his Majesty, on the first night of the Session, had anticipated one answer. He said Ireland had been oppressed by centuries of misgovernment, and this assertion was not more borne out by fact, than by the circumstance of that sort of tardiness which had been observed and acted upon by all succeeding Governments, to propose any measure having a tendency to allay the grievances, and remove the acknowledged unheard of deprivation and misery, existing in that unfortunate country. A main reason of the misery of the people appeared to him to be the non-residence of the upper classes in that country; the absenteeism, which drew the produce of the labour and toil of the poor man from the property in Ireland, and spent it elsewhere; and although he should be as unwilling as the right hon. member for Tamworth to assent to a tax of fifty per cent, as one of a most tyrannical nature, on those living out of the country whose property was chiefly there; yet, if that country were so oppressed by misery, that for the prevention of outrage and crime produced by positive distress, measures of coercion were necessary, he would readily assent to the levy of some tax of that nature, with a view of alleviating ever so small a part of that misery. If, however, the noble Mover of the Address (the member for Perthshire) was not right as to his conclusions of misgovernment, if he was wrong in supposing that to distress and wretchedness were attributable also those melancholy facts upon which they were about to legislate, and if all these outrages and intimidation were the fruits of political agitation—of those political associations and their acts—by which the country was brought under a system of union of feeling, determined to attain more reform, why should the Government not show, for the sake of the people, before it had recourse to coercive and arbitrary measures, a real and not promised disposition to remove the shameless and foul abuses existing in the State, and deprive the agitators of their plea of action, by showing the people of the country, that a kind system of policy, the dictate of humanity and justice, was followed by the advisers of the Crown, and was exemplified by their actions and propositions in that House? But, in ill-fated Ireland (for ill-fated she had always been), whenever they took her many grievances into consideration, instead of adopting a systematic and statesman-like measure, such as would be calculated at once to apply a healing salve to her wounds, and to maintain the true principles of civil liberty—instead of such measures, they had attempted, bit by bit, here and there, patchwork Reforms, which had been of little or no avail. He asserted, and would uphold, that to grant to a nation one measure of conciliation, however great and important might be its nature and effects—such, for instance, as the Bill so long sought for, to remove the Roman Catholic disabilities, without strenuously removing all the other grievances of which the people justly complained, was not less impolitic, less ignorant, and less cruel, than to give to a starving family the means wherewith to procure one meal, and then to presume, that by that one act, that isolated act of charity, they had saved that whole family from future misery. He said, then, if this proposed measure, containing, as it did, every feature of severity and infliction, was not levelled against the outrages and crimes only, but against these associations and political unions in Ireland, or against individuals, the immediate patrons of these meetings, show to the people that, whilst they adopted this measure of severity to uphold the law of the land, and enforce the will of Government, they were also sensible of the distresses of the people, and determined, by remedial measures, to remove them. Such measures, if they did not go first, as he thought they should, at least ought to proceed *pari passu* with the others, with the equal certainty of carrying them through both Houses; so that those extensive reforms, the want of which was, with the agitators themselves, the excuse for the agitation to which you ascribe these outrages and this discontent, should become the law at the same time with the measure for punishing outrage, and suppressing political freedom. If these were not their plans, he must think, in the words of Lord Chatham, and quoted by Mr. Grattan, as he found in a work of the noble Lord the member for Devonshire—"There is ambition, there is sedition, and there is violence; but no man shall persuade me that it is not the cause of liberty on one side, and that of tyranny on the other." But what said the hon. member for Leeds? "Talk to me of this being a Bill encroaching on the liberties of the people of Ireland, what liberty have they to be deprived of?"—"The Government must be feared before it can be loved," said the right hon. Secretary for Ireland. "Advocates of this measure of coercion, talk about violating the British Constitution," said the right hon. Gentleman, the member for Tamworth, "the British Constitution, was not instituted to give impunity to crime." The right hon. Baronet advocated, as he, of course, was expected to do, in that most eloquent and beautiful speech he delivered on this subject—one never, perhaps, surpassed in that House—the same line of policy which he and his colleagues pursued when in office. Coercive measures, after all he had heard, were, says he, absolutely necessary. But of all the hon. Gentlemen, noble Lords, and right hon. Gentlemen who had advocated the passing of those measures, he regretted most to see the noble Lord the member for Devonshire, the Paymaster of the Forces (Lord John Russell), taking that part. So much at variance did he perceive the noble Lord's present opinions to be with those which he had always advocated, and which he believed the noble Lord still entertained—so much at variance with that liberality so conspicuous throughout the whole of the noble Lord's public life, that he must refer the noble Lord to his own language —not used in the heat of debate, but published as his avowed opinions and sentiments, at a time when he was unconnected with the governing party in the State, and merely an independent Member of that House. The noble Lord said, in a work expressly written upon this very subject, and speaking generally for all times, and not from circumstances, delivering unprejudiced opinions, and golden rules of liberty.

Thus the House of Commons more than once has met, perfectly disposed to bear its part in passing any measures of severe coercion which the Ministers of the day thought fit to propose. It was thus that, in 1795 and 1799, laws were passed to prohibit public meetings, without a sufficient authority, and to prevent printing, unless under certain regulations. In 1817 these measures were renewed, and in 1819 their severity has been much increased. The measures resorted to on these occasions may be classed under two heads, both of them sanctioning methods, in my mind, injudicious, and one extremely dangerous.

The first is the suspension of the *Habeas Corpus* Act. Now, this is a very proper precaution, when a conspiracy is carried on by a few principal leaders whose imprisonment puts an end to the plot. But it is no remedy at all, when the evil consists in the discontent of some thousands of unemployed manufacturers. *Uno avulso non deficit alter;* the subalterns, in conducting these popular humours, are fully as able and audacious as the chiefs. The other remedy consists in new laws, restraining the right of speaking and writing. Acts of this kind interpose obstacles to public meetings and public newspapers, and serve to discountenance, for a time, by the authority of Parliament, the abuses of liberty which have prevailed. But it is manifest, that it is impossible to prevent sedition and blasphemy, unless all freedom of speech and the liberty of the Press be extinguished. It is impossible to provide beforehand, by Act of Parliament, that all speeches and writings shall keep within the bounds of loyalty and moderation. Therefore the restraining laws are, except for the moment, inefficient. They are also pernicious, for they admit a principle, which if punished to its full extent, authorises a censorship of the Press.

Whilst every opinion may be professed, some will always be found hostile to religion and to monarchy; and whenever the country is visited with distress, those upon whom misfortune falls, will for a time give a willing ear to anything which professes to be a plan for their relief.

It would seem, however, on the other hand, that we have now gone as far as it was possible to go safely upon the system of restraint. If blasphemy and sedition again alarm the timid, they must be suppressed by the ordinary laws: otherwise we must either admit a censorship, or surrender the present mode of Trial by Jury.

It is to be hoped, that rather than adopt either of these tyrannical expedients, England would impeach the Minister who should give such atrocious advice to his Sovereign.

It is a consolation, however, to think that if the people of England are really determined to preserve their liberties, the laws afford means amply sufficient to quell sedition. They only require a firm and even hand to exercise them; new Statutes on the subject of the Press can only be the resort of Statesmen weak enough to take advantage of it for the destruction of their country's freedom.

He would say to his Majesty's Ministers, and to this House, adopt an inquiry, if necessary for this legislation, into the state of Ireland altogether, her evils, their causes, and then refer it to her good sense and honour to endeavour with England to accomplish measures which would remedy her misery and outrages. Let some credit be given to the gentlemen of Ireland; let not the motives of her eloquent and most enthusiastic orators be falsely impugned; let not the motives of the hon. and learned member for Dublin be mis-represented; and let not his great exertions and never-flagging energies, be supposed to be used, for the sake of cloaking treason and throwing a veil over rebellion. England had gloried in calling Ireland her sister; her sons had shared with Englishmen in the toils and successes of war, in her battles and her victories; and would they now by their acts sever the Union, by dividing the fraternal link which bound them to each other? Treat her rather with justice and impartiality. He said, then, give fair play to Ireland, and her noble-minded sons; open to them the flood-gates of useful knowledge; if possible, or at least as far as it is possible, feed the indigent, and, above all, infuse into the mass of the people, by acts of kindness and generosity, that tone of moral feeling, that charity of acting, without which nothing is estimable, nothing is permanent. Do this, and Ireland would bless England, and offer her prayers for its welfare, which was inseparable from their own. She would then become an arm of strength to us, and an honour to our Sovereign's dominions. But, on the contrary, inflict this merciless chastisement—pass the measure of coercion—let slip the dogs of war—let iron-handed tyranny stalk uncontrolled through her beauteous land, hanging, transporting, bayoneting, and shooting her devoted children, and the curse of God and man alike would be upon the policy of England, and her name would become a by-word to pirates and assassins. He trusted they would not unfurl the blood-red flag. Let not war to the knife be their motto. Turn not soldiers into assassins, to do the work of destruction, and revel in the desolation they would create. Remember, a dreadful day of retribution would eventually come. But do, he would say, the very contrary. Show in positive reality, by acts, and not promises, that the resolve to remedy wrong, and the determination to assuage distress, were sincere to the fullest extent, and then would the Legislature of this country acquire in the eyes of all men the appellation of the most popular and benevolent Parliament that ever swayed the destinies of any nation. He opposed this measure, because he believed if the gentry of Ireland were to lend their assistance as the member for Meath stated, and not shrink from their duty, as they had done in the Queen's County, the ordinary institutions of the country would be quite sufficient to quell any intimidation and outrage. He opposed this Bill because he did not consider that the outrages in Ireland were the effects of political agitation, but of distress alone, produced by real and shameless abuses. He opposed this measure because they were using a rod of iron instead of the hand of charity as the first act of a Reformed Parliament. He opposed this measure as it appeared to him to be founded on motives opposed to the voice of reason, the principles of benevolence and policy, and at utter variance with the sound dictates of religion and humanity.

Mr. *O'Dwyer* said, that he heard so many indications of disapprobation expressed when any hon. Member rose to speak against the Bill, that he felt almost inclined to move the adjournment of the debate. He had observed that hon. Members on the opposite side, had remarked that no facts had been adduced by the opponents of the measure, to prove that it was unnecessary, Now, he would confine himself almost exclusively to facts; and he trusted they would have as much weight with the House as that declaration on the other side of the question which had been so loudly cheered. He would also especially direct his attention to the amendment of the right hon. member for Lambeth, and hoped to demonstrate to the right hon. Baronet (Sir Robert Peel), that it was not quite so silly as he had been pleased to describe it. The object of the amendment was, to give the House an opportunity of learning from the Assizes, which were now going on in Ireland, whether the statements which had been made by Ministers relative to the condition of that country were or were not founded in fact. It was important that the House should know that, as far as the Assizes had as yet gone, every allegation made by Ministers had been directly negatived. The charge of every Judge which had yet been received stated, that the existing law if properly enforced was sufficient to meet the exigency of the present occasion. He would take the liberty of stating a few facts, which he hoped that those hon. Members who were ready to cheer the mere declamation which proceeded from the other side of the House would attend to. At the Clare Assizes, Judge Jebb, who, the right hon. Secretary must know, had on high authority been pronounced "a Judge of the right sort," congratulated the Grand Jury, "on the essential difference existing as to the state of matters since last he had the honour of addressing them. Then the Government was compelled to issue Special Commissions for the preservation of order, but all was now peace and tranquillity. The calendar presented few crimes, but there was one feature in it which he could not help adverting to. The practice of swearing illegal oaths was too prevalent in this county, and from it might be deduced all the evils with which society abounded; and he was proud to say, that there was but one such charge on the Crown-book. As to the other crimes, there were none which could not be expected in every state and country." At Meath Assizes, the Judge, whose parliamentary life would prove that he was not likely to be inordinately attached to popular principles—he meant Chief Justice Dogherty, declared that "there was nothing appearing on the face of the calendar or on the Crown-book, worthy of observation." At the Longford Assizes, Judge Moore, who was a prerogative Judge, and sentenced so much *con* *amore* persons to imprisonment, who refused to pay tithes, said, and he begged the House to attend to it, that "he congratulated the Grand Jury upon the comparative state of quiet of their county, and hoped shortly to see the county of Longford reduced to a state of perfect peace, and that, by the agency of the laws of the land, without the interference of any measures not consistent with the Constitution." Now, what was the casewith respect to the county of Louth, which the right hon. Secretary had declared to be in a state of frightful disturbance, though, to be sure, he founded that allegation upon the fact of a man having been refused the loan of a winnowing machine, which he had been in the habit of borrowing for twenty years? As he was about to refer to Drogheda, he would incidentally mention a fact, illustrative of the manner in which justice was administered in Ireland. There had been no gaol delivery for twelve months. The cholera had prevailed in the town, and the Judge took care of his own life, whilst he allowed the prisoners to die in the gaol. Chief Justice Bushe, on opening the Assizes in the town of Drogheda, said—"Gentlemen, in looking over the calendar I find it unusually heavy, fifty-two persons being for trial, which is a large number for your peaceable town and county. The crimes with which they are charged, as I find in this calendar before me, are not of a nature that calls for any observations from me. There is only one charge for murder, that is, of one sister having killed another. The other charges are for petty thefts, and * * *. I do not find a single charge of Whiteboyism in this calendar, which is to the credit of your town and county." Thus it appeared, that all the Judges who had yet spoken had declared it as their opinion that the existing laws were sufficient, if duly enforced, to meet the present emergency. [Mr. *Stanley*: you have forgotten Baron Smith]. He thanked the right hon. Gentleman for reminding him of that learned Judge. The House must have seen the charge of Baron Smith in all the journals of the day. This Judge, who had been alluded to, in such laudatory terms, by the right hon. member for Tamworth, was in the habit of converting his charge to a Grand Jury into a sort of essay, in which he did not scruple to sacrifice a principle to an antithesis, and interlarded his little law with scraps of literature, sometimes giving an extract from the *Dunciad*, and at another time spicing his composition with an extract from Hudibras. In short, he was always ready to have a fling at the agitators, and to vent his spleen on any persons who had given him offence in the course of his political career. It might be considered presumptuous in a young Member to speak thus boldly of so sacred a person as a Judge; but Baron Smith had made his charge public property by printing it himself, and sending it forth to the world. He would take this opportunity of stating also, that Baron Smith, in charging another Grand Jury in Dublin, whilst some men were under a charge which, as the event proved, deeply affected their liberty, availed himself of his privilege to do that which was an improper interference with the due administration of justice, and was disgraceful and derogatory to the character of a Judge. The right hon. member for Tamworth had referred to a former charge of this learned Judge, which was just as consistent with candour as his introduction of the tragical episode of a barbarous murder committed whilst he held the office of Secretary for Ireland. Was it, he would not say honourable, for the right hon. Gentleman could do nothing dishonourable, but was it humane to introduce that tragical episode of a barbarous murder which he deplored as deeply as any man could do? But was it, he asked, humane in the right hon. Baronet thus to excite the national antipathies of a House which already seemed little disposed to do justice to Ireland? Was it fair of him thus to support the Government, with the power of his eloquence, in detailing the fact of five men being barbarously murdered during his own Administration. Baron Smith, in his charge, said: "In like manner, under the present Grand Jury system, tranquillity was restored to Clare and to some other counties by the Special Commission, at which Judges Moore and Jebb presided." He would now read to the House a letter descriptive of the state of the county of Louth, which he had received from the Primate of the Roman Catholic Church in Ireland. Every one who knew Dr. Kelly must be aware that not the slightest imputation could lie upon his testimony. His high character was a sufficient guarantee for the truth of what he stated. He resided in the county, and he possessed this additional recommendation in the eyes of Ministers, that he was decidedly opposed to political agitation. He hoped the House would pardon him if he read this document at length. Was it possible? Could the House which had listened to the contents of the red box upon the Table, which had cheered the wretched ballad produced by the right hon. Secretary, refuse to hear this important paper read? If such shameful interruption were continued, he would move the adjournment of the debate. The document in question was dated the 25th of February, which was subsequent to the letter of Sir Patrick Bellew mentioned by the right hon. Secretary. Some parts of the paper might, perhaps, make a little against him, but nevertheless he felt it to be his duty to give it, in an unmutilated form, to the House. It was as follows:—

Drogheda, Feb. 25—My dear Sir—I had the honour of receiving your letter of the 19th instant, in which you request to be informed of the present state of this part of the country, regarding its peace.

As to the county of the town of Drogheda, which you represent in Parliament, I have no hesitation in saying, that a more peaceable and orderly people do not exist in the British empire, notwithstanding the want of employment and the extreme misery of a great portion of its population.

I think I may also safely say, that the entire province of Ulster has not, for many years, enjoyed a greater share of tranquillity, with the exception of occasional manifestations of discontent on the subject of tithes, but which cannot be compared with the disastrous effects of party spirit and religious animosity that have existed in that province for centuries, and unremedied, to the annual loss of many human lives.

The county of Louth, 'tis true, has been, for the last five months, under an unusual state of excitement, producing such effects as every friend to social order would wish to see repressed; but I am happy to be able to state, that latterly the instances of outrage have so decreased as to approximate to almost perfect tranquillity. As this county has been much spoken of, it is fair to trace the disturbances that prevailed in it to the true cause. Louth is one of the most agricultural counties, as it is confessedly the most fertile, in Ireland.

The tithe-system falling on the industry of the farmer, its pressure was severely felt by the labourer in the subtraction of adequate wages, and by the cottier in the increased price of potato-ground. The population being almost Catholic, the labouring classes murmured at the fruits of their toil being thus diverted from the support of their families, to add to the wealth of an establishment with which they were connected by no tie, nor bound up by community of feeling. Add to this the expectations excited by the discussions in the late Parliament, of the abolition of tithes, and the subsequent disappointment occasioned by their enforcement throughout Ireland. To effect an increase of wages, and a reduction in the price paid for potato-ground being generally let at 8*l.* per acre, many of the labouring classes entered into combinations to that effect, whilst the idle and disorderly, availing themselves of this pretext, proceeded to acts of outrage; and having increased their party by intimidation, endeavoured to extort money and food from the peaceable inhabitants. Such is, what I conceive, the true cause of the temporary disturbance that prevailed in Louth, but which has now nearly subsided.

As far as secret and illegal societies may be considered to operate against the public peace, the Catholic bishops of this province have, at their last meeting in Dublin, on the 2nd of February, adopted a regulation by which all secret and illegal societies are prohibited, under such spiritual penalties as are within our power. This disciplinary law has been carried into effect and published in every chapel in this province, and will, I trust, have the effect, with the usual zealous exertions of our clergy, of checking the spread of these secret and illegal combinations, equally injurious to society as to Christian morality. But unless such measures of justice and conciliation be adopted by the Legislature as will dry up the source of complaint and discontent of the people of Ireland, by redressing their just grievances, lightening their burthens, "that neither they nor their fathers were able to bear," encouraging their industry, and making provision for the poor and helpless, who are starving in a land of plenty, it is vain to expect that peace can be permanently established in Ireland, and which could not be maintained, under the same circumstances, in another country. If provision be not made for at least the aged and infirm poor out of the surplus of ecclesiastical revenue, which they naturally look on as their patrimony, and which is at the disposal of the State, the cravings of hunger cannot be satisfied, nor its effects on society cease to be felt. If present relief be withheld from the poor, whilst the funds available to this purpose are applied to other objects, and only diverted by another channel, through which it is still more unlikely they will ever reach them, they will look upon the misery of their state as irremediable, and the enactment of such severe measures as are in contemplation only as a means of perpetuating the system so objectionable to them. If such healing measures be adopted towards Ireland as the wisdom of Parliament cannot fail to discover as suited to her wants—if even-handed justice be dealt out to the people and their confidence in the Administration of the law be restored, which in many parts of Ireland has been weakened by the religious and political bias of party, I am confident that the laws would be respected, and that the ordinary powers of the Constitution would be more than sufficient to repress crime and protect the peace. The destruction of property is a great evil, but life, being of a superior order, has the first claim to protection. Now, though the county of Louth has been disturbed, yet I have not heard of the loss of a single life, whereas, under the baneful influence of party spirit that has systematically prevailed for centuries in the north of Ireland, and for the extinction of which the ordinary powers are sufficient, human lives are yearly sacrificed. During six years of my residence as Bishop in the county of Down I had the pain to witness many melancholy instances of this. On the 12th of July, 1831 (to omit other instances), six persons of my flock fell victims. At Tullyarier tenfold that number were likely to share the same fate from the procession of the 5th of November following, but for the prompt and humane interference of the Marquess of Anglesey, who, by sending a detachment of military, prevented on that occasion the usual result of hostile collision. Yet these processions still continued, and last year with increased numbers and display. As action produces reaction, counter associations spring up. My exertions and those of my clergy were not wanting in dissuading our people from these confederacies, but must have proved unavailing while the opposite party held their processions under the eye of the civil authorities, unmolested and even countenanced by persons in high and influential offices in that county, and invested with the commission of the peace. Until such evils as these be remedied—until the fountains of justice be purified, by intrusting the dispensing of justice to those alone who are not tinged with party distinction, and a due Reform of Jury-laws be obtained, the people cannot be taught to respect the laws, nor will peace be maintained. The wounds of so many years may be bound up, but when the band is removed, they will not cease to bleed. The good Samaritan may pour in the wine and the oil, but the gangrene, if allowed to continue, will fester, until it becomes incurable. Under these circumstances, I fear that the suspension of constitutional liberties would, in many cases, involve the innocent with the guilty, and be attended with evils to this country. I hope Government and the Legislature may be able to discover such persons as are within the limits of the Constitution (which has ample resources), whereby crime may be prevented, and the blessings of life, liberty, and property fully secured. As I have said, let justice be done—let the poor be provided for—let the ascendancy of party cease, not in name but in reality, and let there be no other ascendancy than that only which is known to the British Constitution—the ascendancy of the law; and believe me, when that is done, that the ascendancy of law and order will be maintained by every class and denomination in Ireland. I have the honour to remain, my dear Sir, your faithful and obedient servant,

" X. F. Kelly, Archbishop, &c.

" To A. Carew O'Dwyer, Esq., M. P."

To this last sentence he would more particularly direct the attention of the House, as it corroborated the opinion he had quoted of Judge Moore. He (Mr. O'Dwyer) wished he was able to enter more at length into the topics contained in the letter he had just read to the House. It was dictated, he hardly needed to say, in the purest spirit of patriotism, and in the earnest desire to benefit the native country of the writer. The communication was, however, perfectly at the service of the noble Lord opposite, if he wished to make any use of it. He should be sorry to justify turbulence in one country by instancing outrage in another, but he must say, that although there was a great increase of crime in Ireland, there was, at the same time, a proportional increase in England. But, he would ask, had Government come down to the House with measures of equal severity for this country? A great portion of the crime in Ireland, he contended, arose from the undeserved relation in which the lower orders stood with respect to the higher. The landlords of Ireland had grossly abused their duty, to a degree which was not to be paralleled in any other country in the world. He spoke of the landlords of Ireland as a class, but did not mean to deny that there were many exceptions to be found among them to the general stigma, and these exceptions were discovered in the residents. But most of them spent their time at Leamington, Cheltenham, or other fashionable places, and, if they visited their country once a-year, it was sure to be at shearing time. Mr. Bicheno described the Irish gentry correctly when he said, that they were spoiled by indulgence —that the Government was ready to help them in every emergency, and they were never taught to rely upon themselves—that innumerable sums were spent to indulge their humour, for whenever discontent arose in Ireland, whether out of exactions for tithe or rent, away went an army to suppress it—and that the effect of this was to make the clergy more exacting in their demands. The same writer proceeded to say, that the way to remedy a great part of the evils which afflicted Ireland, was to repress the insolent and overbearing conduct of the clergy and landlords, and oblige them to yield on some points, and remit on others. The reverse of this was the legislative system constantly adopted towards Ireland, and this wrong system his Majesty's Ministers were about to continue. This was the course pursued by the right hon. Baronet, the member for Tamworth—a course which he only could have learnt in this country. He (Mr. O'Dwyer) could not contemplate the present measures without the strongest feelings of indignation, and those feelings were excited by one of the most powerful agents—the love he bore the country which gave him birth. He would not attempt to analyze it. He would describe it in a very few words. It abrogated the rights confirmed by the charter of English liberty, deprived the Irish people of the benefit of Trial by Jury, the privilege of *Habeas Corpus*, and handed them over to the tender mercies of a military court. And if the powers of this court were at any time exceeded, the damage was to be apportioned by another military court. His feelings on this subject, were, he repeated, strong; they were kindred and sympathetic feelings, not such as were felt by many of those who composed the majority on which Ministers relied so much. The sentiments of those Gentlemen were very different from those entertained by the Representatives of popular opinion. If it were a question whether the present Ministers should remain in existence or the Constitution should perish, he would say, perish the Ministry, and let the Constitution remain. Their proceeding in the present instance proved them to be anything but Representatives of the English people, against whose voice they certainly could not continue to hold office.

Mr. Thomas Attwood moved the further Adjournment of the Debate.

Mr. *Lefroy* said, that, with all respect to the hon. Member (Mr. O'Dwyer), he must be permitted to say, that the attack which he had thought proper to make on the character of a respectable Judge in Ireland was most unjustifiable. In undertaking the defence of that gentleman, it would, perhaps, be necessary for him to occupy more of the time of the House than, at that late hour of the night, he thought would be proper. He would, therefore, consult the feelings of the House, and on its decision would either proceed, or defer the defence he had to make till to-morrow.

The Speaker having put the question on the further Adjournment of the Debate,

Lord *Althorp* rose, and observed, that he was quite aware that there were many Gentlemen who still would have to address the House on the question, and, therefore, it was not likely the debate would close that night. He was under some apprehension, however, that it might not even be closed to-morrow, and he should rather be inclined to hear the hon. and learned Member (Mr. Lefroy) address the House at once, unless a full understanding were come to, that the debate should be closed to-morrow.

Mr. *O'Connell* thought the proposition of the noble Lord quite reasonable. But this inconvenience was likely to occur—interruptions might take place in the listening, and by that means the debate might be protracted. As far, however, as regarded himself, he fully concurred in the noble Lord's view.

Debate again adjourned.

HOUSE OF LORDS,

Tuesday, March 5, 1833.

Minutes.] Petitions presented. By the Bishop of Durham, from Sunderland; Bishop Wearmouth; and Monk Wearmouth; by the Earl of Uxbridge, from Worcester; by Viscount Lorton, from the Journeymen Shoemakers of London; by the Earl of Harrowby, from Sandon; by the Earl of Kinnoul, from Dunblane; by the Bishop of Bristol, from Chalbury; by the Earl of Rosebery, from Blewbury; by the Marquess of Cholmondely, from Pont-y-pool, and Tremeirchion; and by Viscount Melbourne, from Broughton Place, Edinburgh, and from Ilminster,—for the Better Observance of the Sabbath.—By Lord King, from two Parishes in Ireland, against the Adoption of Coercive Measures for that Country.—By the Earl of Harrowby, from Sandon, for a Repeal of the Beer Act.—By Viscount Melbourne, from the Retailers of Beer in Bolton-le-Moors, to be put on a footing with the Licensed Victuallers; and from Penzance, for such an alteration in the Election of the Municipal body as will give the Inhabitants a control over its proceedings.

Court of King's Bench (Ireland)]. The Marquess of Westmeath moved to enforce the Order of the House for certain Returns of Records, which he had moved for from the Court of King's Bench in Ireland, but which Returns had not yet been made.

The *Lord Chancellor* said, that he had a communication with the Lord Chief Justice of the Court of King's Bench on the subject, and he found, that these Returns could not be made consistently with the public service. It appeared, that the Records in question were kept in a chest to which no one ever had access, except in the presence of the Lord Chief Justice; and to comply with the Motion of the noble Marquess would require five or six months of the Lord Chief Justice's time. There were additional, and, in some respects, graver objections; and he had only waited to ascertain the exact nature of those objections in order to move the rescinding of the Order.

The Marquess of *Westmeath* said, he wanted the Returns in question, for the purpose of elucidating the conduct of an individual which individual happened to be the brother-in-law of the Lord Chief Justice. Serious inconveniences and denials of justice would be the result if Orders of that House, such as the present, were not complied with.

The *Lord Chancellor* observed, that he now heard, for the first time, that the noble Marquess wanted these Returns for the purpose of founding upon them a charge against an individual. Was it a fair, or a parliamentary course, to move for such Returns without stating at the time the object for which they were required? Would it not have been just had the noble Marquess named the individual, stating the charge which he intended to prefer against him, and called upon their Lordships to aid him in his object, by ordering the Returns in question? Of the Lord Chief Justice of the Court of King's Bench in Ireland, he (the Lord Chancellor) knew nothing personally. But he knew his high character, and entertained for him the greatest respect; and he could not permit what had fallen from the noble Marquess to leave the slightest prejudice to remain on his mind respecting that learned and eminent Judge.

The Marquess of *Westmeath* denied, that there was anything in what he had said which would bear the construction put upon it by the noble and learned Lord. He had no charge to bring against any one; but he wanted the documents for which he had moved, in order to lay them before his Majesty's Government. Nor had he imputed any improper motive to the Lord Chief Justice; but he knew the general bias of relationship, although he did not mean to say, that it had any effect in the present instance. However, he had no disposition to inconvenience the learned Judge.

The *Lord Chancellor* observed, that he had just been informed that the individual to whom the noble Marquess alluded was not, in the most remote degree, connected with the Lord Chief Justice. It appeared from the noble Marquess's last statement, that he moved for these papers, not for the use and information of their Lordships (the only legitimate ground), but to assist himself, individually, in bringing a matter before his Majesty's Government. The noble Marquess needed not have come to the House for that; he would have had what he required on applying to the usual offices, and paying what, until they were abolished by Act of Parliament, were the proper fees. It was not for the convenience of the Lord Chief Justice, that it was necessary to rescind the Order, but for the good of the public. On the contrary, he (the Lord Chancellor) was quite sure, that, if the Order were enforced, the Lord Chief Justice would pass five or six of the easiest months of his professional life; for all he would have to do, would be to sit in a room during that period while a box was examined. But what would become of the business of the Court?

The Marquess of Westmeath withdrew his Motion.

COERCION IN IRELAND.] The Earl of *Roden* wished to call their Lordships' attention to a Petition which he had to present from an individual resident in the county of Wexford, relating to the state in which that county was now placed. He was happy to see a noble Viscount in his place, who, being a resident in that part of the country, could, upon his own knowledge, speak to the facts, his own personal experience having enabled him to corroborate them fully. He, perhaps, should not have said a word in presenting this petition, but for the reports which he had heard of their Lordships being charged elsewhere with what was called the indecent haste with which they had hurried through what was called the Irish Coercion Bill. After having heard such a charge, he felt it incumbent upon him, as one of those who supported the measure, though generally differing from those with whom it originated, to bring forward to the notice of the public any circumstances tending to prove the necessity there was for affording protection to the law and to the reign of peace in Ireland with as little delay as possible. He thought, and felt himself justified in saying, that any individual who held up their Lordships' House as not caring for the comfort and protection, or for the liberties of the people of Ireland, when it passed that Bill, must either make that assertion in ignorance, or from some sinister motives of their own; perhaps with a view to keep up agitation until they had passed an Act by which the Union would be virtually dissolved by the destruction of the Protestant religion and the Protestant Constitution in that country. The petitioner was a shopkeeper, residing at New Ross, in the county of Wexford, named William Strongbow Everett. The petition stated the circumstances under which he had taken a farm in that place, and went on to say, that, on the 12th of May last, he received a notice, threatening him with destruction if he did not compensate the former tenant of the land which he held. He defied the threat, and the consequence was, that, although his house was situated in a main street in a populous town, on the morning of the 4th of June, it was surrounded and several shots fired into it, by which twenty-nine panes in the windows were broken, and the frames perforated with shots. After this, every one of the inhabitants refused to deal at his shop; and such was the intimidation practised, that he was obliged to get the crew of the Pike sloop of war to cut and carry his harvest, no resident daring to assist him in the work. Shortly after that four of his horses were houghed, and other property belonging to him destroyed and injured. The petitioner further stated, that, being desirous of obtaining proper education for his daughter, he had sent her to the school of a Mrs. Browne, upon whom a notice was served, that if his daughter was not sent away, every person connected with the school should be murdered. She was sent home, and he was unable to get her education attended to. He had, at the time of writing the petition, two acres of potatoes in the ground, and was unable to get any one to dig them; and stacks of barley and other corn on his farm, which no person dared thrash, or hire him a horse and cart for their removal. Fearing that their Lordships might doubt the truth of his statement, he had made an affidavit of the facts, a copy of which was set forth in the petition. The noble Earl said, that this petition was the answer he gave to the charges against the Bill which their Lordships had passed. It was called coercive, and it was coercive. It was intended to coerce the murderer and the breaker of the laws, and to give protection to industry and peace. However he might have differed from his Majesty's Government upon other points, and however he might differ from them again, he would maintain, that they had acted most wisely and most judiciously in bringing forward a measure which, he trusted, would not only go to lay hold of the poor and deluded violators of the public peace, but also those who had secretly and covertly urged them and goaded them on to the crime they had committed. He knew that the measure had met with the approbation of the respectable of all classes in Ireland, who were not content with the state of things as they now were, but desired to see protection to persons and property; but by no class would it be more thankfully received than by those farmers who were desirous to see the laws obeyed, and who were on that account living in a state of terror not to be conceived or described, which, indeed, made the law a dead letter, and turned the Constitution, from being a blessing, into a curse. He did hope that the Bill would be suffered to come back to their Lordships' House pretty nearly as it left it; and that with the least possible delay it would be allowed to give that protection to the King's loyal subjects in Ireland to which they were so justly entitled.

Viscount *Clifden* had it in his power to corroborate the general statement of the petitioner, as he knew him to have suffered most cruelly from the persecutions which he described. He was sorry to say, however, that he knew of cases of much worse atrocity which had occurred upon his own estates. Some of his tenants had lived upon their farms for many years, and paid no rent whatever, when he forgave them all arrears and ejected them. He subsequently let the land to three other individuals; and about three months ago the villains, whose principle was, that no landlord should be allowed to change his tenant, whether he got rent or not, came to the houses of the three farmers and attempted to break in. The first resisted, but they succeeded, and instantly shot the man dead and burned his crops. They then went to the second, where they could not force their way in, but they burned his crop and destroyed his cattle. The third was attacked, and it so alarmed him that he died of the fright. Thus, two of his tenants were murdered, and the other was driven out of his farm. The course he had taken was to order that the land should not be let again, but left waste; and so he would ever act, though his whole estate should be without a tenant. If every landlord did the same, he had no doubt the evil would soon be corrected, for these villains would be the first to feel the misery they had created for themselves, and that they had derived no advantage from their crimes but the savage gratification of committing murder. If the present state of things were to continue for ten years, though inflicting a grievous loss upon himself and his family, every acre of that land should remain waste until his tenants could be protected, and could hold the lands in safety. The state of the farmer in Ireland was one whole scene of terror. He was informed that in many places they never thought of lying down in their beds. He believed, that the "voluntary tribute," as it was called, was collected by terror; and that fellows stood at the chapel doors and compelled them to put in their shilling and half-crown voluntary contributions. He wondered how men could be found to have the face, as he knew they did, to get up in the other House and declaim against the Bill, when they admitted in private that it was necessary.

The Marquess of *Westmeath* denied, that distress had anything to do with the disturbances where they were worst, and believed them to originate in sheer wickedness. In Dublin there was a standing Committee of mischief, which would never rest until put down by the strong hand, and the public mind would never until then be at liberty to adopt the truth.

Petition laid on the Table.

HOUSE OF COMMONS,
Tuesday, March 5, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. COBBETT, a List of the Names of all the Justices of the Peace in England, Wales, and Scotland.—On the Motion of Mr. C. ROSS, various Accounts of the Receipt and Expenditure of his Majesty's Navy.

Election Committee. That on Petersfield reported that JOHN SHAW LEFEVRE, Esq. was not duly elected, and that HYLTON JOLIFFE, Esq. was duly elected.—Return amended accordingly.

PETITIONS.] Lord Ashley rose to move for leave to bring in a Bill to regulate the Labour of Children in Factories, of which he had given notice.

Lord *Althorp* said, that considering the state of the business of the House, he wished to suggest, that all other business should be postponed, that they might immediately proceed to the Adjourned Debate.

Lord *Ashley* answered that he had no wish whatever to appear discourteous to the Government, but he trusted, that the House would consider the situation in which he was placed.

The Speaker having announced the suggestion of Lord Althorp,

Mr. *Cobbett* said, he had several petitions to present against the coercive Bill for Ireland, and according to the present arrangements, that Bill would be passed before he could present these petitions.

Mr. *O'Connell* suggested, that on meeting on the next day to receive petitions, none should be presented but those which related to the Coercive Bill.

Lord *Althorp* would make no objection to the suggestion on the understanding which had taken place last Session, that petitions should be presented, but no speeches made upon them.

Mr. *Warburton* begged to call the attention of the House to the practice of Gentlemen putting down their names on the list for their turn to present petitions. In the list there were duplicate names, and in some instances triple ones; if these Gentlemen, whenever their turns came, according to the way the present list was made out, presented petitions, they would exclude other Members from that privilege, which had been the effect since the new arrangements had been made. The hon. Member submitted, that the better and more regular rule would be, that whenever a Gentleman presented a number of petitions, he should immediately strike his name out, and insert it again at the bottom of the list. By this means hon. Gentlemen would have ample opportunity of presenting those petitions intrusted to them.

Mr. *Wilks* said, that during the days in which the new arrangement had been carried into effect, but sixty-four petitions had been disposed of. There were now above 300 names on the Speaker's list, and proceeding as they had done, all the petitions now down on that list could not be presented in six weeks.

Colonel *Davies* remarked, that such must be the consequence, if Members would not exercise a proper degree of discretionary self-control, and refrain from speaking on the subject of every petition, when that subject must, in one shape or another, come before the House as a legitimate question for debate. If Gentlemen, on presenting petitions, would make long speeches, and by these speeches get up a debate, what could be expected, and what regulation could be adopted to counteract the evil? There had not been a petition presented upon which there had not been a long debate. He would, as an instance, call the attention of the House to what took place only on Friday last. The hon. member for Hull caused a long debate upon a petition for the better observance of the Sabbath, and another upon the Emancipation of the Jews, which caused a long speech from the hon. member for Oldham. Mr. Cobbett was always speaking about the rights of the people; but if the time of the House were to be taken up by such unnecessary proceedings, there would be no other business done at all. The hon. Member hoped, that the hon. Member would, for the future refrain from making long speeches on the presentation of petitions, and preserve them till an opportunity occurred when the question they referred to should come before the House. There were now 320 names on the Speaker's List. They increased at the rate of forty, and diminished at that of seven per day; and if they were to go on thus, he saw no end to their labours, nor any chance of all the petitions being presented.

Mr. *Rigby Wason* was of opinion, that the petitions of the people, expressive of their sentiments, could never be heard or known in that House, unless Members would resolve not uselessly to express their own, but, to confine their observations to some statement of fact, impugning the petition, or defending it if impugned by others.

Mr. *Cobbett* denied, that he had made speeches on Friday last. He had certainly made observations that were naturally suggested by the petitions then presented. He could suggest a remedy for the evil now complained of, and one that would satisfy the people. It was this, that all the petitions should be read at length, and Members make no speeches at all; and that all which they thought fit to receive should be printed. The people wanted to hear their own sentiments—not those of the Members. This would do away with the Select Committee, of which the people were properly jealous. If his suggestions were not adopted, he must continue to make speeches.

Mr. *Littleton* thought some resolution should be passed, limiting the right of every hon. Member in speaking on the presentation of a petition to an exposition of the facts it stated.

Mr. *Robert Palmer* thought it would not be possible strictly to adhere to that plan.

Mr. Littleton presented the Report of the Select Committee on Public Petitions.

The *Speaker* observed, that as the House would meet early to-morrow, and he should be punctual, and as a great body of the Members had heard what had just passed, it would be in their power to show what might be done as to facilitating the business of the House in presenting petitions. That would be much better than the further discussion of the subject now.

Leave given to bring in the Bill.

Suppression of Disturbances (Ireland)—Adjourned Debate.] Mr. *Lefroy* moved the Order of the Day for resuming the Adjourned Debate on the Suppression of Disturbances (Ireland) Bill. He then addressed the House in support of the measure. He would compress his observations into the narrowest compass possible, but he must, in the first instance, advert to the attack which, on the preceding night, had been made upon the character of a learned Judge, who stood as high in the esteem of all men of worth and consideration in Ireland as it was possible for any man on the Bench. It had been said by the hon. member for Drogheda, from whom that attack proceeded, that the eminent person in question had sacrificed a principle for the sake of an antithesis; and it was asserted, that he had done that at a time when he was engaged in the solemn duty of charging a Grand Jury. Were he (Mr. Lefroy) to sit silent, and listen to such a charge, he should be unworthy of the acquaintance of that learned Judge, which he had had the happiness of enjoying now for nearly thirty years, the greater part of which he was on the Bench. He should also be unworthy of the place which he held in his profession, if he omitted to assure the House that the charge was altogether groundless. A more constitutional, humane, and upright Judge, there did not exist. Neither did there live a man possessing a nicer or more delicate sense of honour, and few there were more distinguished than he was for all the attainments which impart a grace to social intercourse, or enhance the services of a high public functionary? How far the hon. Member, who had made the attack might set a value on such qualities it was not for him to conjecture, but when the House was informed that the learned Judge referred to was the first to pronounce an opinion upon the question, how far passive resistance was an offence, they might find some clue to the spirit in which the charge was made. He should now more particularly apply himself to the Order of the Day, and he should set out with saying, that he could not entertain such a question without the greatest reluctance, and under nothing less than a sense of the most urgent necessity. It was impossible, indeed, that any hon. Member should not deplore the necessity for passing such a measure, and tremble for the precedent about to be established; but so persuaded was he of the absolute necessity for the present measure, that he could not do such violence to his conscience as to refuse his support to it, though, on all other subjects, he had been a determined opponent of Government. It was important, that the Bill should be placed on distinct grounds of absolute necessity. It was important, that the evidence on which it rested should be beyond the possibility of suspicion. The grounds upon which it was justified were, the nature and extent of crime in Ireland, and the inefficiency of the ordinary laws to repress that crime. With respect to the extent of crime, little doubt could be entertained. It was clearly made out, that there existed at present, in Ireland, an extent of crime unparalleled in the history of even that country. With respect to the nature of the crime, an important distinction was observable between the present crimes, and those which existed at former periods. The existing confederacy had for its object not merely to commit offences, but to baffle and defeat the law for the punishment of crime. In the nature of that conspiracy, he found a proof of the necessity of the present measure; for the Common Law was calculated only to repress crimes of an open and known character, and could not reach such an evil as this. An argument against this measure was attempted to be founded upon the fact, that the Judges, at some of the Assizes in Ireland, had declared that, in the particular districts to which their attention had been directed, in the execution of their duties, crime had decreased; but this Bill did not proceed on the supposition, that the whole of Ireland was infected by crime. The preamble said, that in certain parts of Ireland a confederacy existed against life, property, and law, and though it might be confined to particular districts —it had a direct tendency to demoralize the whole population. It might be useful to call the attention of the House to the number of commissions which had been issued in Ireland during the last year; and to compare the state of crime, at present, with what it was when the first of those Commissions was issued. The House would then be furnished with a criterion for judging whether the ordinary laws were sufficient for the repression of crime. The first Special Commission was opened at the Spring Assizes in 1832. Mr. Baron Smith presided; and his address to the Grand Jury had been described to the House by the right hon. member for Tamworth. The result of that Commission was, that there were five persons convicted, capitally, whose punishment was commuted to transportation; and twenty-six others were sentenced to transportation. Did that exercise of the power of the law restore peace and tranquillity to the country? In the course of two months afterwards, the Government issued another Special Commission, at which Chief Justice Bushe presided; and in his address to the Grand Jury, he stated, that a systematical course of insurrectionary outrage prevailed; and that, within the short period of two months since the former Commission had ceased to exercise its powers, no less than 300 offences of every description, from murder downwards, had been committed within the district assigned to it. The learned Judge added, that the plunder of arms was indefatigably carried on; that crops were laid waste, pasture lands ploughed up, witnesses intimidated; Jurors ordered, on pain of death, not to discharge their duty; illegal oaths administered on compulsion; and that vengeance was denounced against all who dared to resist the mandates of the conspirators. The right hon. Secretary for Ireland had been accused of giving an exaggerated picture of the condition of that country; but he had said nothing equal to the Representation made by the learned Chief Justice on that occasion. Did this second Commission have the effect of restoring peace and tranquillity? No; the country continued to progress in evil; and a third Special Commission was issued at the Summer Assizes in July, being the third Special Commission within the short space of five months! At these Assizes a remarkable case occurred. Some persons were put upon their trial for the murder of fourteen policemen, who were killed, in open day, in the presence of several thousand people. After two or three ineffectual attempts to procure convictions, the Government was obliged to consent to the discharge of all the prisoners; and those dreadful murders were unatoned. Did this conduct, on the part of the Jury and the Crown, produce a beneficial effect? Within one week, the murder of Mr. Marum took place in open day, in the presence of his workmen. From that period, until December 1832, the Returns proved, that the amount of crime was three-fold what it was in March preceding. How was it possible, then, to contend, that the ordinary operation of the law was sufficient to repress crime in Ireland. What weight was there in the argument of the hon. and learned member for Tipperary, that because, on a former occasion, three out of four Special Commissions succeeded in effecting the objects for which they were issued, they alone should be resorted to as a remedy on the present occasion? He contended, that there was something in the nature of the present conspiracy, which rendered the state of Ireland different from what it had ever been on any former occasion. On former occasions, Special Commissions had succeeded; they had now failed. Under these circumstances, something that went beyond the powers necessary to the ordinary administration of justice was required. When the Constitution was assailed by extraordinary conspiracies, he would resort to extraordinary measures, in order to preserve it. He had traced the progress of crime to December last. Had matters mended since? No; on the contrary, they had heard from the right hon. Secretary, and the noble Lord, the member for Nottingham (Lord Duncannon), facts stated, which proved an enormous increase of crime down to the present moment. It was true, that the hon. member for Drogheda, informed the House, that, at some of the present Assizes, the Judges had congratulated the Grand Juries on the small amount of crime in the calendar; but that was at places removed from the scene of conspiracy. At the nearest point to this scene, it was stated, on the authority of the learned Judge, whose character he had this evening vindicated, that the tranquillity was temporary and fallacious. At Down, Mr. Baron Smith said, 'Its 'mock tranquillity seemed produced by 'the prostration of the law; the non-re'sistance of the well-disposed, and triumph'ant ascendant of vulgar and lawless 'power, which was only not in savage 'action, because it appeared already to 'have won the day. Thus, by a sort of 'practical paradox, the lightness of its 'calendar showed the state of your 'county to be alarming. I am aware, 'that it has, still more recently, and very 'suddenly, assumed the appearance of 'tranquillity of a somewhat different na'ture; but can a change so instantaneous 'be traced to causes justifying rational 'exultation? Can the latter calm be less 'treacherous or delusive than the first? 'May it not have in part arisen from a 'certain completeness of organization—a 'perfection of seditious discipline, which 'can render implicit and prompt obe'dience to epistolary edicts, aided by 'universal and influential subsidiary efforts 'to enforce them? May not the arrival 'of a stipendiary Magistrate, the addi'tion to the police, nay, the speech and 'measures with which the Parliamentary 'Session has been opened, have contri'buted to produce a calm less triumph'ant, but more insidious, than the first? 'A spirit that lurks, and merely waits its 'opportunity for effectual mischief is not 'laid. A quiet, originating in terror and 'in craft, would seem to have succeeded 'one which had its more insolent and 'haughty source in unencountered strength 'and successful intimidation. But even 'the former domineering and despotic still'ness, which has, with a suddenness so 'suspicious, given way to a different calm, 'was not uninterrupted. By occasional 'outrages it evinced, that savage ferocity 'was but suspended, and these outrages 'were characterised by a system, and uni'formly pointed in a direction, which 'showed them to be results of consistent 'plans, and of a factious confederation.

'If individuals of the humbler class were 'the chief objects of such aggression, yet 'I have learned, from something more 'authentic than mere rumour, that for 'this the gentry were in some degree in'debted to their own precautions—that 'their dwellings were, in too many in'stances, transformed to redoubts, which 'their garrisons would scarcely venture 'to issue from unarmed. This is a state 'of things which cannot last. Either 'the law, or something stronger than the 'law, must put it down, or it will pros'trate the fair fabric of our laws and 'Constitution.' The learned Baron added: 'The stern code which is said to be im'pending I have seen described as the 'enslavement of our country. If perma'nently established, it would be truly so 'described; but, considered as a transient 'system, it may, on the contrary, if duly 'administered, be our liberation. It may 'rescue from insecurity the now precari'ous lives and properties of the loyal and 'well-conducted. It may liberate from 'manacles, insult and aggression, the 'fettered, the violated, and derided law. 'It may rescue a maniac multitude from 'the destructive frenzy into which it has 'been goaded. It may do so by an ap'plication of indispensable and salutary 'coercion.' No wonder that these opinions had excited, in certain quarters, a desire to bring the learned judge who expressed them into disrepute with the House and the country; but the House would not be insensible of the value of such testimony; to which may be added that of another learned Judge, of equally splendid talents and experience. Chief Justice Bushe stated, at one of the Special Commissions, that although he deprecated the idea of resorting to measures which went beyond the Constitution, as long as it was possible to avoid it, yet the time might come when it would be necessary to have recourse to such measures for the protection of the innocent, and as the only means of quelling the rebellion. Thus, the opinion of two of the ablest Judges in Ireland, founded on the facts before them, was in favour of the measure recommended by the Government. Testimony more worthy to be relied upon could not be obtained, and the House ought to be satisfied with it. He might add that his conviction of the necessity of the Bill was strengthened by what he had observed in Ireland during the last three or four months. The last murder of which he heard, before he left Ireland, arose out of a confederacy of the description to which he had before adverted; and was discovered in a most providential manner. A farm, which had been occupied by several tenants for many years, without any rent being paid, was at length taken by a tenant, contrary to an insurrectionary notice. This man was waylaid—pursued into his house—and murdered in the presence of his family. The gun by which he was killed burst on being discharged, and shattered the finger of one of the murderers. This man went to a public dispensary to have his hand dressed; and the nature of the wound having excited suspicion in the mind of the attendant-surgeon, he caused inquiry to be made, which led to the apprehension of the parties engaged in that murderous outrage. The extent of the evil must be admitted; the insufficiency of the ordinary law to check this evil was proved; yet hon. Gentlemen opposed the Bill, and stated that it was uncalled for. It had been said that this measure went far beyond the recommendations contained in the Report of the Select Committee of last year on the state of Ireland. He admitted that to be the case; but Gentlemen should recollect that the remedy proposed by that Committee was of a permanent character. It was one thing to make a permanent inroad on the Constitution; and another merely to suspend, for a time, a portion of it. The Committee recommended a permanent change; and therefore trenched as little as possible on the Constitution. At the end of July, when the Committee made its Report, Special Commissions had just been sent to the disturbed districts, and great hopes were entertained that they would put a stop to these disturbances—these hopes had been disappointed. The measures proposed by the Committee rested upon different grounds and reasons from those on which Parliament were now called on to legislate. Since the time of making that Report, crime had increased in Ireland three or four fold. Six months had elapsed and the issue of the Commissions had shown that all the hopes then entertained were delusive. The expectation that these outrages would be stopped by the ordinary process of law, had been disappointed. The next objection to the Bill was, that the new tribunal was a military tribunal. But let him ask, who had led the opposition to this tribunal—and who had supported that objection? Why, the hon. member for Dublin—who had put it out of the power of the Government to resort to any other tribunal. Had not the hon. and learned Member repeatedly told the House, that the Judges of the land had lost the public confidence? The hon. and learned Member particularly dwelt on that in the celebrated speech which he delivered at the beginning of the Session. He was constantly stating that the Magistrates were the oppressors of the people, and were not fit instruments for the administration of the law. Since, therefore, he attacked the Judges—since he was constantly and systematically disparaging the ordinary tribunals of justice, the hon. and learned Member, and those who acted with him, ought not to complain that the Government had resorted to a new, though objectionable tribunal. The objections of the hon. and learned Member were at once met by reminding the House of the allegations he had indulged in respecting all the ordinary tribunals. When he made these observations, he begged the House would not suppose, for one moment, that he concurred in the imputations thrown upon the Judges and magistrates of Ireland. It was unnecessary to say one word in defence of their high character—it was needless for him to go into a vindication of those learned persons, or to enter upon the defence of the magistracy of Ireland, as it must be obvious that the vague and general charges that had been stated were utterly without foundation. He was not sorry that the Judges and Magistrates were to be delivered from the invidious duty of carrying the provisions of this Act into effect, particularly as much unfounded calumny and many imputations had been thrown upon the magistrates with respect to the Insurrection Act. He would go the length of saying that a charge never had been brought home against the Magistrates for a mis-administration of that law. He thought it was greatly to be regretted that a good understanding did not prevail between the Magistrates and the Irish Government, and he hoped that this unfortunate state of things would shortly be put an end to. It was impossible that the state of Ireland ever could bear any analogy to the state of this happy country, unless a good understanding prevailed between the magistrates and the Government. It had unfortunately happened—and in saying this he did not wish to impute any blame to the Magistrates, or to cast any imputations on the Government: that, for the last two or three years, the magistrates had been exposed to the grossest abuse, and no steps had been taken to vindicate them. He feared even that the conduct of Government, in neglecting to adopt strong measures to put a stop to the outrages which had so long prevailed, had led to a feeling of distrust and dissatisfaction on the part of the Magistrates. He rejoiced that his Majesty's Ministers had, at last, thought it necessary to put the law in force for the protection of the lives and property of the King's peaceful subjects, and he trusted that this would be followed by such measures as would tend to ensure future tranquillity. He was sure when Government zealously set to work to do this, that the Magistrates of Ireland would give any assistance to restore that unhappy country to the state in which all who had its interest really at heart, must desire to see it. The next objection against this measure, to which he wished to advert was, that it was a perfectly useless Bill for the purpose of aiding the Administration of the law, as regarded that point upon which the great difficulty appeared now to exist in the dispensation of justice. It had been urged that this Bill would not supply witnesses; and it had been asked, how could proceedings be carried on before Courts-martial without witnesses any more than before the ordinary tribunals? It was perfectly true that witnesses were necessary in either case; but let him remind the House, that the failure of justice had more frequently arisen from witnesses being tampered with or intimidated, between the arrest of the prisoner and the time of his trial, than from the difficulty of finding witnesses. Any one who had had any experience of the administration of the law in Ireland, was aware that it was difficult to secure the same testimony from the witness at the trial, as he had given in his deposition before the Magistrate. It was by no means an uncommon practice in important cases to keep the witnesses in gaol, that they might neither be tampered with nor intimidated. But notwithstanding this precaution, repeated cases occurred of witnesses upon the trials, retracting every syllable of the information they had given when the prisoner was arrested. In such cases there could be no direct intimidation or tampering; but the witnesses were operated upon, in consequence of their friends and relatives, without the walls of the prison, being exposed to menaces. Notwithstanding care might be taken to prevent a witness being made acquainted with the threats to which his friends had been so exposed, his fears would operate upon him; or he might receive some intimation of the fact; and he went back from his previous evidence. He had known many instances of undoubted offenders escaping punishment by such means. Of course, in cases where several weeks or months elapse between the arrest and the trial of an offender, opportunity was afforded of tampering with or intimidating witnesses. If, therefore, the offenders were brought to trial soon after their arrest, this defect in the administration of justice would be obviated. It must be obvious, that in this respect the Bill would afford an advantage over the ordinary form of proceeding, as only a short time would intervene between the committal and trial. Another objection urged against this Bill was, that it took away the right of petitioning. Those hon. Gentlemen who made that objection, must misunderstand, or be entirely ignorant of the provisions of the measure, to give it that character. It would not prevent the exercise of the right of petitioning, but it would prevent the assembling of large multitudes of people for the ostensible purpose of petitioning. It would not prevent individuals from drawing up petitions, which might be signed by any number of persons. It was absurd to call it a "gagging Bill;" as persons would still have opportunities of making their grievances known to the House, although they would be prevented from assembling in large numbers for that purpose. Another objection that had been urged was, that the Bill would afford facilities to enforce the payment of tithes. Several hon. Members, on both sides of the House said nay—among them, one Member connected with the Government—that they would not give their support to this Bill if they thought that it was in any measure calculated to assist the collection of tithes. He thought that the right hon. Secretary had put the measure on its proper footing as regarded the collection of tithes. He admitted, that the noble Lord, from the observations which he made on this point, excited great distrust in the minds of several hon. Members, who otherwise would have been disposed to give their support to this Bill. When he heard the noble Lord state that it was to have no reference to the collection of tithes—that, in fact, it was not to be used to protect the clergy in the peaceable possession of their property—he hesitated whether or not he should support it. The right hon. Secretary, however, removed all objection when he observed that it was not intended that this measure should give the clergy an additional civil remedy to those already in existence for enforcing the payment of tithes; but that, if in the collection of tithes—or if, in the collection of rent, outrages were committed coming within the principle of the Bill, the persons so offending would undoubtedly be liable to punishment, under its provisions, in the same manner as if they had offended against the law upon other occasions. He was perfectly satisfied with this explanation, but anything short of that would have given rise to great discontent. He regretted that a doubt should remain upon the subject after the explicit statement of the right hon. Secretary. He had fairly answered some of the objections urged against this Bill; but before he sat down he would advert to the observation made respecting English ingratitude and Irish grievances. It was said, that it was the deepest possible ingratitude, on the part of the people of England, to support such a measure, considering the countenance and assistance which they received from those who called themselves the "Irish Members," in passing the Reform Bill. He would venture to say, that, however much the people of England were excited in favour of Reform, if they had been apprized of the price at which the Irish Members expected to be paid for their support of that measure, they would rather have abandoned the Reform Bill altogether than have paid it. If the people of England had known that a license for agitation and immunity for outrage were the compensations they were expected to pay, they would have dispensed with the assistance of the Irish Members, as they had too much regard to national liberty to be parties to any such bargain. But they had been told that Ireland had many grievances to complain of, which ought to be redressed before measures of coercion were resorted to. It had been observed, that Ireland had been misgoverned for centuries. He admitted that Ireland had been misgoverned; but he did not agree in the view taken of the subject by those who made the charge. In fact, the charge of misgovernment made by those persons, was, after all, mere cant. The charge was not preferred for the purpose of casting an imputation on this Government or that. It was made against all English Governments indiscriminately, and was preferred with a view of bringing English rule and authority into contempt. It was remarkable that the men who cast the imputation were those who had always been in the habit of misleading the people of Ireland, and exciting them by agitation to crime and blood. There had been at different times, at least of late years, some political nostrum which became the fashion of the day for keeping Ireland quite. The Roman Catholic Relief Bill was long considered as the remedy. The House was told over and over again, if you do but pass that bill, Ireland will be in a state of perfect peace and tranquillity. Well, that measure was tried, and what became of the promises—the plighted faith of those who sought for it—the hopes of its early friends and its late converts? All flung to the winds, and the state of Ireland, so far from becoming more tranquil, had been progressing in evil ever since. An ingenious solution had been attempted. It was said the measure had been delayed too long; but let it be recollected that the English Roman Catholics obtained emancipation at the same time—the English dissenters also were relieved from their disabilities at no earlier period—and how came it to pass that they had not separated themselves from their fellow-subjects, and commenced mourning over by-gone grievances, or raking up the ashes of extinguished oppression? The truth was, that there was a party in Ireland whose object was not merely a redress of grievances, fancied or real, but whose object was the separation of the two countries; and while that spirit prevailed in Ireland, encouraged as it was by spiritual agitators, who had mixed with the political agitators, that country never could have rest. Part of the system adopted by these separatists, and which they advocated as a means to an end, was the destruction of the Church Establishment—that Establishment which was the great key-stone of the arch which connected the two countries. The present was not the first time that similar means were recommended to procure a similar result. In proof of this, he (Mr. Lefroy) would refer the House to the memoirs of Theobald Wolfe Tone. He states that, "As to royalty and aristocracy, they were both odious in Ireland, to that degree that I apprehended much more a general massacre of the gentry and a distribution of the entire of their property, than the establishment of any form of government that would perpetuate their influence." Again he says, that "the influence of England was the radical vice of our government, and that Ireland would never be either free, prosperous, or happy, until she was independent, and that independence was unattained whilst the connexion with England existed." Again he says, "the universal question throughout the country is, where do we begin? Do we refuse hearth-money or tithes first?" Wolfe Tone and his confederates were defeated in that attempt. The attack on tithes lay over until after the Relief Bill, and was not revived until revived in conjunction with the Repeal question. We find, contemporaneously with that agitation, a work published by Dr. Doyle, in which he states that the people of Ireland never acquiesced in the payment of tithes, and that he hoped to see the whole nation joined in one confederacy for the extinction of tithes—and in which he expressed the hope that their hatred of tithes would be as lasting as their love of justice. When we find such recommendations acted upon, in conjunction with a cry for a Repeal of the Union, is it not too obvious as in the days of Tone, that the extinction of tithes is set forward as a means to an end, and is now again resumed as a means to the same end? He would, therefore, warn Gentlemen how they gave way to the cry for the abolition of tithes—their doing so would be sure to extinguish that which the Lord Chancellor of Ireland declared to be the bond of connexion between the two countries, namely, the Established Church. He could not but hear with regret, the hon. member for St. Albans, (Mr. Warde) promise last night, that if the hon. and learned member for Dublin would lay aside his phantom of the Repeal of the Union, that he would yield to him the Established Church, the extinction of tithes, or any thing else he might think beneficial for his country. He would say, with great respect for that hon. Member, that he had better get rid of his own phantom, for the connexion of the countries could not outlive the extinction of the Established Church. That the tithes had not been the cause of the crimes which now disgrace Ireland must be apparent, from the fact that the disturbances commenced in parishes where the Tithe-composition Act was in force, and where the acreable charge did not exceed 1*s.* 1*d.* per acre. Mr. Costello, in his evidence before a Committee of the House of Lords, distinctly proved, that the persons who were tried at Kilkenny were well able to pay their tithes, but refused to do so in pursuance of the confederacy entered into to prevent them. Having stated the grounds upon which he felt bound to support the measure, and having answered some of the objections urged against the Bill, he should conclude with this one observation, namely—that if his Majesty's Government had thought it necessary to introduce the measure, and had not introduced it, they would not have done their duty to their Sovereign or the State, but having made up their minds to the necessity of the measure, they would be wanting in duty to themselves and to the country if they allowed it to be frittered away.

Mr. *Ruthven* said, that seeing the state of impatience in which the House was, he would not address them at any extraordinary length. He must complain, however, of the manner in which a measure of such importance to Ireland was hurried through the House. He admitted the outrages committed by the Whitefeet, but thought that it was not by totally annihilating the Constitution, they should endeavour to repress those injuries. He complained of the manner in which the Irish Magistrates performed their duties, and attributed many of the evils of which the people had to complain to that cause. As an instance of their neglect of duty, he stated that, out of 9,000 persons committed for trial in one year in Ireland, only 5,000 had been convicted; and he would ask the House, if Magistrates could be said to do their duty who committed 4,000 innocent persons to prison. He must condemn the speech of the hon. Member who had just sat down, for the greater part of it had nothing to do with the question before the House. He contended that it was monstrous to think of afflicting Ireland with so tyrannical a measure as that before the House. What were the statements that had been made? They were drawn from interested sources. But let the House refer to the convictions for the last seven years, and they would find that they had not materially increased. He admitted that there had been some dreadful cases quoted, but, again, the information was drawn from polluted sources. There was the case of Mr. Houston. It was true that that gentleman was murdered; but it was also true that the tale was told to the Government by those who had no right to make any such communication, and ought to be ashamed of having done so. But were there no cases to be quoted on the other side? Oh, yes, many. The hon. Member then stated a number of circumstances tending to show the oppression of the clergy. He called the attention of the House to the case of a widow, who had, he said, been barbarously used by a clergyman named Dwyer. There had been a distraint on the widow's property for tithes: and after a time there was a second, and then the poor woman, under advice, attempted to protect herself, and adopted legal proceedings against her persecutor. He would read to the House a conversation between this widow and the clergyman, and to it he begged the attention of the House. If hon. Members would not hear him, he would move the adjournment.—[*Go on, go on*]. Mr. Dwyer met the widow, and he said, [The hon. Member here used words which are unfit for publication, and which excited a general expression of disgust in the House.] Mr. Dwyer afterwards sent for the widow and the bailiff, and when she went to the place appointed, Colonel Dwyer, the brother of the clergyman, and a Magistrate, and a Mr. Lambert, an agent, were present. The bailiff was thrown into a room, and the widow was shamefully treated. Mr. Dwyer said to her [The words employed by the hon. Member were again such as cannot be repeated.]—

Colonel *Perceval* rose to order. He could not sit silent and hear a most respectable clergyman so spoken of. He had had the honour of Mr. Dwyer's intimate acquaintance for twenty years, and he knew him to be a most respectable Gentleman. He was surprised that the hon. Gentleman would bring forward charges against a clergyman couched in such gross language, in that informal manner. He (Colonel Perceval) thought, if the charges were founded in truth, it would have been more regular to inform the House before he made them. At all events, he was sure that it could be no gratification to hear such gross language as that read by the hon. Member. He did not know whether he was right in thus calling the hon. Member to order, but he conceived that it would be more agreeable to the House if he did not go further with it in that desultory manner.

Mr. *Ruthven* said, he had no wish to be disorderly. He had ventured upon no tirade. He had merely stated facts, and he had a perfect right to do so without giving any notice to any party. Nor would he be led from his course. The reverend gentleman said to the poor widow, "You"—

The *Speaker* rose and said, that though the hon. Member was only stating facts, yet in stating facts, it was always necessary to use parliamentary language. No language could be orderly in a quotation which would be disorderly if spoken. The passage read by the hon. Member was certainly of that nature, and, therefore, he must request the hon. Member not to read any more of the offensive passages.

Mr. *Ruthven* would not say one word more upon the subject which could be considered out of order. He did not think, however, that it was disorderly to state that Mr. Dwyer, the clergyman, was fined 10*l.* by the Assistant-Barrister for his conduct to the widow. He believed that Special Commissions would have all the good effects anticipated from this Bill. They had been found to answer formerly in Clare and Galway, which counties were reduced by them to a state of perfect tranquillity. And the Judges who had been on those Commissions were fully of opinion that they had the effect of tranquillizing the country. He was of opinion that this measure would drive Ireland to resist to the death. He was not one of those who wished for the Repeal of the Union without discussion. He wished to have it calmly argued, and to decide according to the issue of that argument. Ireland asked only for justice—for nothing beyond the advantages which were held out to her in the Union. Hitherto this justice had been withheld; he implored the House no longer to delay it; for as Baron Smith had said in his charge to the Jury—there was a point beyond which resistance would become a duty. There was a great outcry about the Unions in Ireland: the honourable House seemed to forget that there were Unions in England, and the member for Birmingham could tell them what sort of Unions these were. His Majesty's Ministers, too, well knew what these Unions were. For it was these Unions alone which had kept them in office, and carried the Reform Bill. Yes; when the Ministers began to be aware of certain little tremulous flutterings in their hearts as to whether they should be able to remain in office, and as to what was to be done, then it was that they had been triumphantly carried through every difficulty by the people—by the Political Unions of England, [*"No, no!" from the Ministerial Benches.*] Hon. Gentlemen on the opposite side were now very loud in their vociferations of no, no!—they had changed their note lately; there was a motion for the suppression of these Political Unions, set down in the list for the 6th of May. But would this Motion ever be brought forward? No. There was another Motion set down for the same day, for the Abolition of Sinecures. How would those hon. Members vote on this question? He would not at present go through his objections to the different provisions of the Bill. With regard to the powers which were proposed to be given to the Courts-martial, he desired to say a few words. Great merit was assumed by the framers of the Bill for not arming those tribunals with the punishment of flogging; but had they prohibited them from other tortures of the same character? He remembered a case in which a Court-martial ordered a culprit to be punished with "bitting," or, in other words, making the unfortunate man wear a horse's bridle for so many hours. This case of tyranny occurred in the regiment of Sir Watkins Wynn.

Sir *Watkins Wynn* started up, and amidst uproar and laughter, denied, as we understood, that his regiment had ever been in Ireland.

Mr. *Ruthven:* Yes, it was; I saw it; it was in the county of Down. I can bring the most incontestible evidence of the truth of what I say.

The *Speaker* suggested that as the hon. Baronet whose name had been mentioned had so unhesitatingly denied the circumstance, it would be more in order in Mr. Ruthven not to persevere.

Mr. *Ruthven* said, that he had indisputable proof of the correctness of his statements.

The *Speaker* said, that he was sure no Gentleman in the House but would see that the manner, the topic, and the perseverance of the hon. Member were all disorderly.

Mr. *Ruthven* apologised. He had not conceived that the endeavour to substantiate statements was disorderly. What he had said with respect to personal observation referred to the presence of Sir W. Wynn's regiment in Ireland, not to the affair of the bridle. However, without mentioning names, he would say, that this dreadful punishment, worse than any other, could be proved. He did not say, that such a case had occurred in England; but he could fully prove it had occurred in Ireland—though he had forgotten, nothing could be too bad for the rebel Irish. He begged leave to cite an opinion expressed by Mr. Stanley in 1824, in which he himself (Mr. Ruthven) fully concurred, nor could conceive how an alteration of opinion had been brought about in that right hon. Secretary, and other Gentlemen on that side of the House. The opinion of the right hon. Gentleman at the period mentioned, was "that the worst affliction under which Ireland laboured, was the entire ignorance of those who legislated for her, of the real evils she was suffering under." It was, therefore, incumbent upon Ireland to let these evils be fully known to those legislators. But the real question before the House was not a mere question about Ireland, but a question of English liberty—of the British Constitution—of general reform; it was to see whether the present Reform Ministry were to tyrannize worse than any Tory Ministry had ever done. Including police and the military, in 145 barracks and twenty forts nearly 30,000 men were found necessary to keep the peace but very indifferently in Ireland. This force had been found inefficient for its object by the Government but notwithstanding the enormous expense of this great body of troops, and the constabulary force already in existence in Ireland, the English people were to be called upon to raise additional taxes to support a further importation of soldiery into that country. Certainly the Irish ought to be very grateful to the English for distributing their guineas so liberally amongst them; never were they more in request there. He would not detain the House much longer. He would only quote some passages from a speech of Lord Althorp's in 1824, to show how that noble Lord had been spoilt by the company he had got into; for in his (Mr. Ruthven's) opinion never had any man set out with a more kind and benevolent feeling towards Ireland; and he had the highest respect for that noble Lord's character. The paragraphs stated the opinion of the noble Lord, 'that the 'mischief was, that while the evils of the 'Union were clear and undoubted, the 'advantages were entirely dependent upon 'the good sense and good feeling of the 'Administration.' He would call upon that noble Lord, if he had not changed this opinion, to show the excellence of the present Administration by the extent of the advantages it would bestow upon Ireland. The noble Lord on that occasion had also alluded to the enormous expense incurred by the machinery of the Insurrection Acts and the Commissions in Ireland, and had declared his opinion 'that there 'was such a contamination in arbitrary 'measures—that if they were enforced in 'one part of the State, they would have an 'equal influence over the other portion.' Let the noble Lord bear this in mind, and not act in direct opposition to these his declared opinions.

Lord *Acheson* said, that as an Irishman he could not but deeply lament the necessity which existed for such a measure as that before the House; for he admitted that stern necessity alone could justify it. It was not, he assured the House, without serious consideration that he had made up his mind as to the vote he should give on this occasion. He had done all that he could to see if he could conscientiously oppose it, but the more he reflected on it the more convinced was he that it was necessary, not merely to restore tranquillity but for the security of person and property in Ireland. He regretted the necessity he was under of supporting it, and the more so as he was aware that an hon. friend of his, the hon. member for Armagh, had yesterday presented a petition from that town against it. The petition was signed by many of his (Lord Acheson's) warmest friends. This he lamented, for he was sure they had been misled on the subject by the want of accurate information as to its nature and object. But, be that as it might, the question was one of too great importance for him to allow himself to be influenced on it by any interested considerations. He was sorry he was not present when the petition was presented, as he understood that, in answer to the remark of an hon. friend of his, that it had recently been necessary to increase the constabulary force in that part of the country, it was stated by the hon. member for Drogheda that that increase had been caused by apprehended disturbances, in consequence of the introduction of this Bill. He did not know where the hon. Member had his information, but he would advise him to tell his correspondent to give him a little more correct information in future. He could state that no disturbances had taken place, or were expected, in consequence of the introduction of this Bill,—that, on the contrary, it was anxiously looked for by the great mass of the people of property and intelligence in that part of the country. It had been said, that the amendment proposed by the right hon. member for Lambeth was useless. He admitted that it was so for any good purpose, but there were objects for which, no doubt, in the opinions of some, it was considered useful. It might be considered useful to wait, in order to see what might be the effect of delusive influence exercised amongst the people of England with respect to the Bill. It might be also desirable, by some, to wait to see the effect which the approaching Assizes might produce; but he thought that the Bill should not depend upon that result, whatever it might be. In the late charge of Sir William Smith to the Grand Jury of the county of Louth that learned Judge had truly said, that the sort of mock tranquillity which they saw around them might be owing to the prostration of the law, and to the feeling that one party had triumphed over it. Temporary tranquillity would be to him by no means an assurance of permanent tranquillity. With the learned Judge he had just referred to he held the somewhat paradoxical opinion, as it might seem, that the lightness of the calendar would be a proof of the very dangerous state of the country. The sudden absence of crime he should be inclined to attribute to an awful perfection in the system of combined disorganization. He wished to say a few words, for the purpose of effacing an impression which appeared to exist; that the operations of this Bill would extend indiscriminately to the whole of Ireland. This was most erroneous. Had this been the case—had the operation of the Bill tended to implicate the innocent in the punishment of the guilty—it should never have had his support; but his firm opposition. On the contrary, it would tend to relieve the many who now laboured under that worst of slavery—the slavery of intimidation—from their bonds, and would restore them to the full enjoyment of the benefits of the Constitution; and this was his reason for supporting it. Some of the hon. Gentlemen on the other side of the House, indeed, had appeared to arrogate to themselves the representation of all Ireland. He could tell them that their opinions were by no means those of all Ireland. The present measure was, he admitted, arbitrary and tyrannical; but he wished to ask what tyrranny could equal that of prescribing the opinions and conduct of other men, of making loyal men disloyal, and of forcing them, for their own security, to violate those laws which, in their hearts, they were disposed to respect and obey? He supported the Bill because he was not disposed to give protection to the guilty, to encourage those who violated the laws, and acted cruelly and tyrannically towards other men, and because he was anxious to protect those who were loyal, peaceable, and obedient. He did not approve of all the details of the Bill, but he would not then state his objections. He would only say, that though he did not think so badly of Courts-martial as many people, yet, as there was a prejudice against them, he should wish the clause establishing those courts not to be adopted. He did not wish to render the measure unnecessarily severe. If any substitute for those courts could be found, he should be glad to support it; but if no such substitute were proposed, he should feel himself bound, however reluctantly, to give his support even to that part of the Bill. However the Bill itself would not remedy the grievances of Ireland; and he hoped that the Ministers would persevere in that course of remedying the grievances of that country upon which they had entered. Agitation, it should be remembered, was the effect, not the cause, of many of the evils of Ireland; and he wished to see the causes of agitation removed. The people laboured under too many grievances to be at rest; and Ireland, until the causes of agitation were removed, never would be tranquil.

Sir *Charles Coote* rose, out of a sense of duty to his country and constituents, to defend the Magistrates and the Gentry of Queen's County, from the attacks which had been made on them. He could take upon him to say, that those Magistrates had done their duty. Thirty-seven of them, with the rest of the gentry, had come forward, and agreed to resolutions for an armed association for the protection of the peace; but their efforts were vain, because they could not persuade the farmers to join them. The gentry, therefore, were not to blame for the state of the Queen's County. He must admit, that some attempts had been made to intimidate Jurors, and he would tell the House of one case. A man who served on a Jury in 1829, had then employed some mowers to cut down his grass, but they refused to do it; others refused; he could not get it cut, and there it remained on the ground till October. His horse fell into a drain, and he could not get a labourer to assist him to get the animal out, which remained there and died. He had been a member of the Committee which sat last year to inquire into the state of Queen's County. He had attended every sitting of the Committee, and approved of its Report. He knew that the Special Commission had done good, and that subsequent to that, the condition of the county was improved, and therefore he approved of that part of the Report. But three weeks after his return to his own county, while he was on a visit to his brother, a gentleman of the name of Anderson was dogged and fired at as he was getting over a style. He was shot through the lungs. He was then attacked with swords, and cut and hacked, and kicked, and much disfigured. He was almost cut to pieces, and the only question he asked, when he expected to die, the only thing he wished to know was, how he had given any offence. Three days afterwards, another man was shot. Nobody could go abroad without arms, and those gentlemen who kept up large establishments took their servants and their arms with them, even to Church, to protect them. This was the state of the county soon after the Parliament was prorogued. The hon. and learned member for Dublin said, some few nights ago, that Queen's County was now tranquil. He wished it was, but he had letters in his pocket which contradicted that assertion. One was from a Magistrate who resided in a well-peopled part of the county, where the inhabitants had more employment than in any other part of it, and less excuse, therefore, for committing outrages and crimes. He wrote: ' Crime has increased ' much since your departure from the ' county, particularly in this neighbour- ' hood. On Tuesday last, four armed ' men came to a quarry in this demesne, ' where I had six men at work; they ' placed them on their knees, and with ' pistols to their breasts, swore them not ' to work at the slate-houses, which they ' said they understood I was building for ' Protestant tenants. They then proceed- ' ed to the houses of several of my ' labourers and tenants, and beat some of ' them most severely, giving them similar ' orders not to work. This occurred be- ' tween the hours of four and five o'clock; ' but such is the state of intimidation, no ' person would venture to inform me what ' was going forward, and the men in the ' quarry, although within sight of the ' house, would not venture to disobey the ' order they got to remain in it for an ' hour after the departure of the party. ' Since these outrages, the stone-cutters ' I had employed, have received threaten- ' ing letters, ordering them to work for ' me no longer, and I cannot now get a ' mason who will venture into my employ- ' ment, so must send to Dublin, or some ' distance, to procure them, and at this ' moment I am obliged to keep six armed ' men to protect by day—and to have ' constant patrols of police by night— ' those labourers who have not yet ' been threatened, and who continue to ' work for me. Had I dispossessed ' tenants from this land, on which I ' am building comfortable slated houses, ' I should not be surprised at what has ' occurred; but the land has been part of ' this demesne, and in possession of the ' proprietors of this estate for the last ' seventy years. You are aware of the ' number of resident landlords in this ' neighbourhood, and the very large num- ' ber of labourers employed by them, and ' its former quiet and peaceable state. ' But things are now sadly changed, and ' no gentleman ventures to remain un- ' armed by day or night. I had yesterday ' to investigate six cases of outrages com- ' mitted on Sunday in the noon-day by ' armed parties, but it is useless to look ' for information, intimidation is so ge- ' neral.' Under these circumstances, continued the hon. Member, he felt happy to give his support to the Bill. The Committee he had alluded to, had recommended a less severe measure; and if that recommendation had then been acted upon, it might have been sufficient. But the country was now placed under different circumstances, and different measures were necessary. Since then, the Volunteers had been formed. Some hon. Members had been returned, he believed, by agitation; and they might find it necessary to keep agitation alive. Wishing, for his part, to live in Ireland, but wishing to live in safety, and to enjoy his property in security, and knowing, that security, both of property and life, depended on passing the Bill, he should give it his support.

Mr. *Daunt* did not mean to detain the House long; but his duty to his country and his constituents would not permit him to suffer that atrocious Bill to pass without protesting against it. Ministers, he declared, had made out no case against Ireland to justify putting her out of the pale of the Constitution. They had, indeed, strung together a long list of outrages—they had weaved them into something like a combination, and they said, let us have Martial-law to put them down. They had raked together all the Newgate Calendars of Ireland, and by them they thought to frighten the House of Commons into suspending the *Habeas Corpus* Act. The right hon. Secretary might as well have read the Gaol Deliveries and Police Reports and Records of the Old Bailey, and have proposed to suspend the *Habeas Corpus* Act, and establish Martial-law in England. The right hon. Gentleman had recited a ballad most pathetically to influence the passions of the House: to have made the thing complete, instead of reciting it, he should have sung it. The right hon. Baronet, too, had horrified the House by the detail of a murder which took place fourteen years ago; but that showed what great difficulties they met with in justifying this atrocious Bill, when they were obliged to ransack the records of crime fourteen years back. If they were fond of looking back to find pretexts for cruel laws, might they not find them in English history? The right hon. Baronet had only to carry back his researches, and he might find a justification for applying Martial-law to England in the murder of Thomas à Becket. He did not know what Ministers wanted; but if they had sought to devise a plan to put down anti-tithe agitation, they could not have found a better than this Bill. The tithes were the evil of Ireland. He put it to the English Gentlemen to make the case of Ireland their own. If it were, would not excitement prevail in England? How would they like that a Roman Catholic priesthood should lord it over England? How would they like to pay tithes to such a priesthood? He put it to them, honestly and sincerely, to answer honestly and sincerely, and on a plain principle of justice. They would, he believed, refuse, and justly refuse, because, where no value is given, nothing ought to be paid. There was another circumstance to which he would allude, which had been already alluded to by the noble Lord, the member for Donegal—that was, that much of the agitation concerning tithes was caused by the promise of the right hon. Secretary, that tithes should be extinguished. The right hon. Secretary was no doubt sick of that promise, he had been reminded so often of it—nevertheless he would take care to remind him of it till it was fulfilled. Rather than vote for that Bill, he would lay that head [touching his head] upon the block—[*Laughter*]. They might laugh. That laughter showed him that Ireland could not look for sympathy in that House. There was one feature in the Bill which demanded their best attention. He alluded to the taking away of the right of petitioning Parliament, except by permission of the Viceroy. The learned member for the University of Dublin told the House that this was not its tendency, because, though the people were prohibited from meeting to petition, they still could petition individually. Thus, if the hon. Member's numerous constituency, consisting of 4,000 or 5,000, felt interested on any public question, and wished to petition the Legislature through the medium of the hon. Member, instead of one petition signed by 4,000 or 5,000 individuals, he would have 4,000 or 5,000 petitions to present, unless they were hawked from door to door for signatures, which would scarcely diminish the inconvenience. He contended that this clause amounted to taking away the right to petition, from the practical obstacles it created. It taught Ireland a useful lesson. Last Session, the right hon. Secretary said, he would read Ireland a lesson: this was not strange; it was the period for giving lessons, for the schoolmaster was abroad; but who ever expected to see him start up in the shape of the right hon. Secretary? The lesson taught Ireland was, that since she was not to petition that House, it was not to that House she must look for legislation—it was not from that House she must hope for sympathy. It was deaf to her cries—it would not even hear her prayer; she could not expect parental legislation, except from a domestic legislature. He appealed to the Commons of England—not to their passions, but their judgment. He asked them, was liberty the birthright of an Irish subject, or was he a political machine, on which tyrants might try, with impunity, their experiments for crushing freedom all over the empire? Were the crimes of Ireland, arising in a great measure, from poverty and destitution, to be exclusively marked out for this sanguinary vengeance? In the course of this debate, the House had been reminded of the burnings of Bristol—of Nottingham Castle—of the attacks of reckless and infuriate English mobs on life and property—of Swing, the Captain Rock of England, and his fearful orgies,—it had been asked, why Ministers did not come down to this House and demand the enactment of coercive laws for this more favoured country? The question was as yet unanswered. Just Heaven! what a universal cry of indignant execration would have burst forth from one end of the kingdom to the other, against the Minister, who, prancing on the tiptoe of official insolence, should have dared to threaten the high-spirited people of England with a measure of such mingled tyranny and insult? And that cry would be found irresistible. The united voice of an indignant people had often hurled an oppressive Ministry from their bad eminence. The people of England—the free, the powerful people, were with the Irish. They had nobly sympathized with them; and their united efforts would, he trusted, be triumphant. The Government, indeed, and a faction, were opposed to the Irish people, and prevented the complete union of the two nations. Ireland, he was afraid, was never to be completely united to England, sharing liberties and privileges like a part of the Empire. This Bill did not look like it. He would remind them, that men owed allegiance in return for good government, and that coercion and misgovernment did not merit allegiance. An hon. Member had, on a former evening, compared Ireland to a ship which had struck on a rock. That might be just; but the conduct of the Ministers reminded him of the Irish pilot, who ran a ship upon the rock. Paddy was asked by an American Captain, that had arrived off one of the Irish ports, if he knew all the rocks and shoals of the harbour? Faith, and I do, said Pat, every one of them. The Captain accordingly gave him the ship in charge, which soon after ran bump upon a rock. Hurra! said Paddy, did I not tell you I knew all the rocks, and there is one of them? The Ministers were blindly running the ship upon the rocks. He was sure that the question of Repeal would acquire irresistible strength by this measure. It would be wiser to relieve the distresses of Ireland. Absenteeism was a great curse to Ireland. It drained her of capital, and, preventing the growth of manufactures and of trade, threw her whole population on the land for support. From that resulted the surplus of population, which required other measures of relief than Martial-law. He should not do his duty to his country if he did not, to the utmost of his power, oppose the Bill.

Mr. *O'Connell:* I only wish to remind Gentlemen that the question will be put on the amendment. The question on which the House will decide is, whether the word "now" shall stand part of the question: that is, whether the Bill shall now be read a first time or not. A good deal of speaking might have been spared by remembering that a good many observations have been made, which did not go to decide the question whether the Bill shall now be read a first time. I am bound to say, that the amendment is extremely well calculated to elicit the real nature of the measure, which goes to destroy the Constitution of Ireland, and to which it is most certainly felt, that one fortnight's delay would be fatal. With these preliminary observations, I shall proceed to call the attention of the House to the real question it has to decide. The Legislature is now to decide if this sort of law shall be applied to both parts of the British empire. It is one which relates to the mode of governing Ireland. Are we now to follow the former precedents of the British Government? Are we to continue the old system, or are we to make Ireland a part of the British empire? What is implied in the consideration of the question—has Ireland ever benefited by the connexion with England? What benefit has Ireland ever derived from the connexion? If she were totally separated, could she be worse off? It has been assumed by all who have spoken, that she could not. Poverty, distress, want, and crime, prevail. How can she be worse? and these things are stated and admitted on both sides. I ask you what has England done for Ireland? Nothing. If you ask what crimes England has committed, the black catalogue is most abundant. Let us take up any period of history, and we shall find acts of the most atrocious cruelty—of the deepest treachery—of the most wanton guilt that ever stained the annals of any country. I formerly specified the leading characteristics of each century, but, what did I get, but to be sneered at? Have I not been taunted because I alluded to the oppressions of the Henrys, the Edwards, the Elizabeths? But what was my reason for adopting that line of argument? Because you practise the very enormities of their day, and disguise them under no more than the flimsy cloak of a different name. I will dwell but shortly on this part of the subject, and merely to illustrate my views. Every Irishman then found within the pale, was executed as a traitor and an enemy. What does the memorial addressed by Captain Lee to the British Government soon after this period state? I will read an extract to the House:—'When notable 'traitors who had been in arms against 'your Majesty's Government, at length, 'of their own accord, offered ample se'curities for their good behaviour, promised 'to perform great services, and to surrender 'at the assizes and sessions, if promise of 'pardon were given them; and when they 'had so surrendered themselves, yet secret 'Commissions were issued to the Sheriffs 'of shires, and these men—some of them 'were accordingly killed, and others es'caped. These latter men did, however, 'submit to the law, upon which they were 'tried and acquitted.' This was the spirit —the treacherous, cruel, and faithless spirit with which the Irish were then treated. The Government never dreamed of legislating honestly for the people. It preferred the party of the pale at first, but, when a religion, which was not the religion of the people, was introduced, it attempted to form a new party, still in opposition to the nation. When did this system end? Up to 1800 it had not ceased. To prove that, I will read a passage from a writer whose name shall presently be mentioned. He said, 'the 'uniform conduct of the British Govern'ment towards Ireland had been a con'tinued violation of all law, a total 'subversion of the usages of civilized na'tions. Had there been a war with a 'foreign country, the inhabitants would 'have retained their possessions and pro'perties, and even, in a conquered province, 'those would be respected. But the British 'Government squandered the power and 'wealth of the nation on three sets of 'English adventurers, and the common 'title of property became confiscation.' These are the words of Lord Chancellor Fitzgibbon in 1800; he was then, indeed, promising halcyon days to Ireland; but the system of confiscation, rapine, injustice, and blood, remained, notwithstanding his professions. What are you now legislating for? To repair injustice, bind up the wounds of the country, and communicate to it the blessings of the British Constitution? Oh! no. You give this Act of Parliament; you heal all evils and discontents with it; and have the effrontery to propose it in the face of the British Constitution. But why do I taunt you with the crimes of others, where there is so much matter for your individual accusation? In those periods there were great men. It will not do the hon. Gentleman opposite any discredit to be compared with Raleigh or Essex; but the greatest men at certain periods, may be guilty of acts of atrocity and cruelty, and it may happen that little men may envy them that unfortunate distinction. I stand up to defend my country from the fatal legislation that would turn loose upon her every bad passion of the human heart, and give one man the power of dragging at his pleasure, every inhabitant into a dungeon. This is the question. I ask the first Reformed Parliament, would they wish to protect freedom in England? Will they not do the same in Ireland?—for surely if there has been some national exaggeration, it ought not to be scanned with too jealous an eye, and some allowance ought to be made for a people standing on the brink of a dungeon—not because they have committed any crime, but because somebody chooses to put them there. It will be said to me that the Act is not before the House. But, have we not been "talking about it and about it?" Has it not passed the other

House?—has it not received the sanction of the present Government?—has it not come warm to us from the praises of those mighty lawyers and statesmen who are distinguished through the world by the steadiness of their affection for freedom, and their undeviating regard for the great interests of humanity?—does it not, in short, come stamped with the approbation of the "hereditary wisdom" of the nation? I will not detain the House by proving how inconsistent the present conduct of some of those individuals is with their former declarations; that may be of some consequence to themselves—it may be desirable for them to show to foreign states, and the world, that they hold the same place in principle and public estimation, that they formerly held, and are still the advocates of liberty—but I care not in what words they wrap their purposes, while they violate the substance of freedom, nor shall I stoop to expose the fallacy. Let them proceed to apply to their consciences the balm of self-gratulation, and hide their inconsistency from themselves. I will proceed to explain to the House the nature and operation of this precious—this humane—this protecting Act. In the first place, it really takes away protection from innocence; it renounces all the safeguards placed by the Constitution, when it abolishes Trial by Jury. Did your ancestors establish Trial by Jury to enable guilt to triumph? Did they not, on the contrary, institute it lest one innocent man, as far as human precautions could go, should perish? All this security for innocence is totally swept away by the Act. The first feature then is, that it takes away the protection of the innocent—Trial by jury. I wish that I possessed the eloquence of the hon. member for Leeds, without his inconsistency—that I might trace the venerable antiquity of Trial by Jury, and prove that it is antecedent to prerogative and privilege alike. But the task is unnecessary. Have not writers upon the theory of the British Constitution justly declared that the King's civil list was voted—the taxes raised—the army and navy maintained—and both Houses of Parliament assembled—for no other purpose than that twelve men in the Jury-box, with a Judge to preside over them, should be allowed perfect liberty to adjudicate upon questions of life and property? The Constitution, therefore, is at an end, for this Act utterly annihilates Trial by Jury. I can never believe, that the noble Lord opposite (Lord Althorp), so long the representative of the popular nobility, and the little of confidence and regard between them and the people—whose unaffected simplicity of heart and manners endears him to all, while it sheds a grace even upon his high dignity of rank—I will never believe that he has consented to this assassination of the Constitution. The next evil of the Bill is, that it takes away the right of personal freedom. If this Act pass, I assert that personal freedom in Ireland is at an end. Considering the excessive looseness of the framing of the Act, it might be a question with some Gentlemen how far its provisions went in this respect; but with me it is no question. However, supposing that there should arise a question on the subject, on a nice comparison of the various provisions of the Act, oh, what a competent tribunal has been selected to decide the matter! Military officers were well qualified to deal with legal niceties. From the moment this Act passes, no man in Ireland will dare to offend a powerful neighbour without having occasion to tremble at the probable consequences; no woman in Ireland—but I will not follow up the subject. Let me call the attention of the House to another fact. It is a sufficient answer to an application for a *habeas corpus* to show the return under this Act. Its next great feature is, that it takes away the right of complaint. If two men in any part of Ireland talk together of their misfortunes, that will be a meeting under the Act, and the Lord Lieutenant will be able to seize and imprison them. What right of complaint can there be when it is so fettered and manacled? A man may, to be sure, complain to himself—that will be no offence; but what is the use of complaint unless you can pour it into the ear of another? But if you attempt that, you will be at the mercy of the Lord Lieutenant. The Bill, then, takes away the Trial by Jury, personal freedom, the right of complaint; it does more—it annihilates the liberty of the Press. Let me see the person who dare to speak out the truth in a newspaper. If, for instance, a writer should touch on the question of tithes, by the Whiteboy Act, any publication tending to excite a combination or conspiracy against the collection of tithes subjects the writer to prosecution for a transportable felony or a serious misdemeanour. But by this Act there is left no room for interference. The appearance of a newspaper in a disturbed district is conclusive evidence of its publication there. Are you not acquainted with the case of the hon. Baronet, the member for Westminster, in which it was solemnly decided that dropping a letter into the post-office at Derby was evidence of its publication there? But this Act left no room for construction, because the appearance of the paper was proof of its publication. The next evil feature of the Bill is, that it takes away the right of petition—that right which has always ranked next in importance to Trial by Jury. Why had the English people superseded one family, and placed another on the Throne? Was it not to secure the Trial by Jury and right of petition? Why are we assembled here? Why has a Reformed [Parliament been called into existence with so much toil and difficulty? Was it not because the former Parliament were supposed not to listen to the prayers, and from a corrupt regard to their own individual interest, to neglect the petitions of the people? This Reformed Parliament then is constituted to attend to the petitions of the people—will its first Act be to annihilate the very right to petition? No doubt, if meetings are held to laud the character and demeanour of young officers, to hold them up as miracles of discretion, justice, patience, or for any other purpose pleasing to the Lord Lieutenant and the authorities, permission will readily be granted for such; but woe to the man who presumes to ask for redress of grievances. What absurdity, to give the very man whose conduct is most liable to become the subject of complaint a right to quash all complaint! Well then, this Bill destroys Trial by Jury—personal freedom—the right of complaint—the liberty of the press, and the right of petition; all this is done by it. I hope that every Gentleman, as he wishes to be able to clear his conduct before his constituents, will weigh this fearful catalogue. The right hon. Gentleman (Mr. Stanley) shakes his head; but I repeat it, and defy contradiction, that no meeting can be held in Ireland without the permission of the Lord Lieutenant. Petition! Why, what mode remains to a man but to get up his petition in a coffee-house, to hawk it about from street to street, and beg for signatures? But, Reformers of England, how do you petition with effect? Is it in that manner? Is it not your first object to get a public meeting, to collect and declare the general opinion? As soon as a petition is presented, what is the first question asked in this House?—Is it numerously signed? But some one gets up and says, "that may be, but it is a hole-and-corner petition." Another bad feature in the Bill is, that it expressly cuts off the power of actual discussion and deliberation—it does not prohibit a meeting, because the professed object is something different from the real—that poor defence it has not; its open declaration is, that it was designed to prevent meetings for the *bonâ fide* object of real petition and complaint. Woe to the man who should ask leave to hold a meeting, the objects of which were not approved by the Lord Lieutenant! I have now briefly touched on the general features of the Bill; it has been a tedious, irksome, unpleasant duty; but I was bound to make the Reformed Parliament aware of what law it is they are about to pass. In the first place, then, the language of this cruel, ensnaring Act, is exceedingly loose; I never met any so utterly untechnical and indefinite in its phraseology. From the high opinion I entertain of the profound knowledge and legal accuracy of the hon. and learned Gentleman opposite (the Solicitor General), I feel a perfect conviction—though, I admit, grounded on nothing more than that opinion—that the hon. and learned Gentleman never saw this Bill. I do not know; but if he has seen it, I confess my astonishment. The looseness of the language is surprising; in the 14th section it is directed that "every person charged with any of the offences hereinafter mentioned or referred to, may be, and such persons shall be, summarily tried by Courts-martial." Any of the offences hereinafter mentioned! What a specification in so dangerous a statute! The same vagueness prevails in the 17th section; but I come to the 27th, which takes away personal liberty, by which any persons may be arrested, committed, or detained in custody, and the sole return to a writ of *habeas corpus* is, that the act was done under the Bill. This section further empowers the prisoner to be confined wheresoever his gaoler or keeper pleases. What! the man is not to be imprisoned in the King's jails, where Sheriffs, Magistrates, responsible officers, may see him. He may be flung into the black-hole of a barrack, or into its filth-hole. [*A laugh.*]

You smile; but can you deny the fact? He might have protection if confined in an ordinary jail. The Sheriff is a responsible officer; the man's relations would have access to him; but by this inhuman and tyrannical Bill, any place in Ireland which any one delegated by authority chooses, may be the jail of the victim of private malice or of Government vengeance. Can I be blamed if my temper does not always exhibit perfect equanimity, when such laws are to be enacted for Ireland? But is it possible that a Reformed Parliament will grant the power of dragging a man from his home, to be imprisoned wherever and however his jailor pleases? Surely this provision, this admirable clause, can proceed from no other than a distinguished equity lawyer, whose whole life has been devoted to those ennobling studies that purify and soften the heart, and who has equally cultivated the means of discriminating guilt from innocence, and securing the latter from oppression. Some mighty genius was certainly required; for no ordinary intellect could have invented such a section. An hon. Member said, he would prefer living in Algiers to living in Kilkenny. But this Bill comes from no other meridian than that of Algiers. There are such prisons as I have mentioned in Algiers; in England they were never before heard of. If it be necessary to have a severe bill enforced, what mischief would it do if common jails were employed? How does this clause tend to put down crime? The present law gives the power of removing a prisoner from one jail to another. Is not that sufficient, without giving a military subaltern the power of imprisoning a man where he chooses? And mark the terms of the Act: Any person authorised under this Bill, whether justice, constable, peace-officer, all commissioned officers in command of any portion of his Majesty's troops, or any person whom the Lord Lieutenant may think fit to empower, can exercise this terrible right, and confine the prisoner wheresoever he pleases. This Bill is the great triumph of the Tories over the Whigs. When did the former bring in such a measure? When did they dream of it? I bore a political enmity once to the right hon. Baronet, the member for Tamworth; at one time it deepened into personal hatred; but I was wrong, and I acknowledged it in person. In my political animosity, also, I begin to see cause for regret, when such—I will not say diabolical measures—for words are wasted on them—are introduced by the Whigs. But if such a bill had been brought in by the Tories, what flaming orations would not the present Ministers deliver against it—how they would protest against imprisoning the meanest of the King's subjects. They would declare themselves the protectors of the people; and the Chancellor of the Exchequer, with the honest dignity of his nature, would have been openly and fearlessly arrayed against the oppressive law. I hope, then, that some things I hear are true, and that there is to be no coalition between such discordant materials. One circumstance I shall notice is an admirable specimen of legislation. *The Dublin Gazette*—of which it is said, if you wish to conceal anything advertise it in *The Dublin Gazette*—is to be evidence that a district has been proclaimed. The people are charged with publishing illegal notices, and this, I suppose, is to correct their taste in that respect. Now, when the Reform Bill was to be put into execution, it was necessary to post notices on the church and chapel of the parish; but *The Dublin Gazette* is sufficient when the district is to be put under martial law. If the Act was not to be consistent in all its parts, what harm would there be in giving the same notice? To come to the question of Courts-martial, I think they will be found ineffectual for their purposes. The army I have no wish to disparage—a braver body of men I know never existed—the officers also can claim no merit which I am not ready to concede to them; some are men of superior minds, some of plain capacities, and others are not distinguished for any shining talents; but good, bad, and indifferent, take them altogether, they are the worst judges in the world. The case of Somerville supplies evidence enough on that point. In the course of my professional duties, I have met three or four cases in which paymasters were involved, and I saw that the major's party pulled one way and the colonel's party another [*No, no!*]. I say, Yes, yes! Am I to mince the matter—to fritter away my case, when I speak of facts, which I have myself witnessed? [*Name, name!*] I will not mention individual names; but I repeat that officers are not fit to be judges of the land. I say that the gallant Officer himself has not been fitted by the course of his education for discharging their duties, and that he has not acquired that delicate discrimination of the motives and characters of witnesses or prosecutors, which is necessary to a Judge. I cannot adequately express my contempt for Courts-martial as tribunals to try the people. Well, then, five or nine ensigns or lieutenants, with one field officer are to form the Court, and the presence of this field officer is the first guarantee of impartiality. There is another precaution, to be sure—the subalterns are to be twenty-one years of age; but on the other hand, they must be two years in the army, in order to learn that obedience is the first virtue of a soldier. The Reformed Parliament turns the Judge out of the Box—the Judge who had studied human nature for years, by experience had learned to distinguish the clashing diversities of guilt and innocence, and to pour the drop of mercy into the prisoner's scale, when it is wavered in doubt. His *viginti annorum lucubrationes* are thrown aside as useless, and he himself is removed to make way for the field officer. If a British subject commits an offence, he is tried by twelve Jurors, and he may object to any twenty-one on the panel if he only dislikes their countenances; but let an Irishman utter a word against any of the four ensigns! They are to decide the case; they were ordered to come, and they are there; their business is to obey orders, and the prisoner must be content with them. The right hon. Gentleman (Mr. Stanley) triumphs—he may well do so. Ireland is his domain; he rules her with uncontrolled power. Woe to the man that will dare to sneer or smile at him. Three ensigns may, under his Bill, convict any man; but has Ireland had no experience of Courts-martial? All their acts certainly were not wicked, but dreadful atrocities were committed by them, the most prominent of which stared out and caught public attention—still only the grossest were remembered. Need I allude to the notorious case of Grady, who refusing, or, as he said, unable to identify a prisoner, of whose person he had, on a former occasion given a description, was instantly led out and whipped for this offence? He was called on a second time—a second time he declared his inability, and a second time he was flogged. He was called on a third time, a third time he refused, and a third time he was flogged. Has the House not also heard of Sir Edward Crosbie's case? I have mentioned to the House already the case of that unfortunate gentleman, who was tried in 1798, before a Court-martial, at which a major of dragoons, a field officer of rank, presided, and has any one ventured to contradict my statement with regard to it? Since I referred to that case, I have received a letter from the son of Sir Edward Crosbie, and I am sure the House will, in justice to the writer, as well as in justice to the memory of his respected father, suffer me to read to it a passage from that letter. The writer, after expressing his thanks to me for having brought the case before the House, enclosed to me a letter, written by a nephew of his father, in the year 1826, which I shall, with the permission of the House, now read to it. The hon. and learned Gentleman then read the following extract from a letter, addressed by the Rev. Archibald Douglas, to Edward Crosbie, Esq., and dated Glebe-house, Kilcullen, August 1, 1826:—'I am glad to 'communicate a fact which came to my 'knowledge but a few days ago, and 'which gives decided confirmation of the 'generally received opinion of your la'mented father's innocence; indeed, there 'can be but one opinion on the murder of 'your father. Mr. Dundas, who lives 'near me, was, in the rebellion of 1798, 'aide-de-camp to his father, General 'Dundas, who had the command-in-chief 'in Ireland. When the report of the 'Court-martial was laid before him, he 'saw at one glance that the conviction of 'Sir Edward Crosbie was against justice 'and truth, unsupported by any evidence; 'he instantly sent off an express to stop 'proceedings, and even to release my 'uncle; but the general who commanded 'at Carlow anticipated the reprieve he 'knew must come, and had my dear 'uncle executed at torch-light, about 'twenty minutes before the dragoons ar'rived.' Shall I now be called upon, as I have been called upon, to name a Court-martial that had grossly abused the powers confided to it? I have stated the instances of two that have done so, and if that will not satisfy the House, that such tribunals are liable, under such circumstances, to be perverted into engines of tyranny and oppression, I will, for its satisfaction, mention a third case, that occurred during the disturbances in 1798. That case was this:—In one of the southern counties there was an attorney, who had partly inherited, and, in the course of his practice, partly acquired considerable landed property; part of this property was subject to a judgment debt to a lady—not an uncommon mode at that time amongst Roman Catholics of providing for their families. The lady had three sons—one of them living as a country gentleman, another at college, and the third at school. The attorney was what was denominated a loyal Magistrate of 1798. This attorney caused her three sons to be arrested, and thrown into jail. The attorney then wrote to the mother, who, it seemed, had commenced proceedings for recovery of the judgment, to inform her that unless she immediately released the debt, her three sons should be hanged in Limerick! If the right hon. Secretary would ask the Cursitor of the Court of Chancery, he would inform him that the lady was his own mother, that she was thrown into prison, that he also suffered a long imprisonment, during which he was treated with much cruelty, and manacled with irons sixty-eight pounds in weight. The Court-martial, however, did not take place. From day to day the mother was threatened, but her affection for her son was strong, and her firmness was equal to her affection. She inflexibly refused to yield her rights. I feel great respect for that mother; few would act like her; she was not tried by the Court-martial, but was brought up to the Assizes and discharged by proclamation, but the following day she was sent back to gaol. Thus you have these features in the Bill —the *Habeas Corpus* is suspended, offenders may be imprisoned in any place that may be thought proper—all meetings are put an end to—Courts-martial are universally instituted; for let not the right hon. Gentleman tell me that they are not universal. I am aware that the right hon. Gentleman has denied that this Bill rendered the jurisdiction of Courts-martial universal, but I will maintain that it does. There is one section that seems to qualify the power, but there is another, and an antecedent section, that appears to render it universal, and I beg as a lawyer to tell the right hon. Gentleman that a particular affirmative does not diminish the force of a general precedent affirmative. One of the clauses empowers the Lord Lieutenant to send persons charged with offences under this Act to trial before Courts-martial, and the House will find that by the seventeenth section of the Act there is no limit placed upon the exercise of that power thus intrusted to the Lord Lieutenant. The fourteenth section of the Act runs in these words:—"And be it further enacted, that the Lord Lieutenant or other chief governor or governors of Ireland, or other person duly authorised by him or them, is and are hereby empowered to order that every person charged with any of the offences hereinafter mentioned or referred to may be, and such persons shall be, summarily tried by and before such Court-martial; and the sentence of such Court-martial, when duly confirmed by the Lord Lieutenant or other chief governor or governors of Ireland, or by any officer by him or them authorised to convene such Court-martial, and to confirm the sentences of such Court-martial, shall be carried into execution, and shall have the like effect as if the trial of such offences had been had before, and the sentences had been passed by any court of oyer and terminer, or general gaol delivery, or sessions of the peace." Now, here comes the question that I wish to raise. If the seventeenth section do not specifically define, as it does not, the powers of the Lord Lieutenant, I will affirm, that, under the fourteenth section, which I have just read, any one may be sent by the Lord Lieutenant to be tried before a Court-martial for anything, or for any offence which he might have committed in any place, and which the Lord Lieutenant might consider to be a matter that should be adjudicated before such a tribunal. [Mr. *Stanley* asked, across the Table, if Mr. O'Connell had read the tenth section?] I have read the tenth section as attentively as the fourteenth. The tenth section certainly does not describe the places where Courts-martial shall be held, and I am ready to admit, that under that section Courts-martial must be held for the trial of offences within the proclaimed districts, but then the fourteenth section empowers the Lord Lieutenant to send any persons for any offences, no matter in what district committed, before such Courts-martial for trial; and then comes the seventeenth section, in which it is enacted that persons shall be sent for trial before such Courts-martial for offences, whether the offences so charged, having been committed subsequent to the passing of the Act, shall or shall not have been committed before the issuing of any proclamation under this Act. Here, therefore, is a clause with a manifest *ex post facto* operation, and this is one of my great complaints against the Bill. From the moment of the passing of this Act, in a district which, perhaps, is now perfectly tranquil, but which the Lord Lieutenant may proclaim six months hence, individuals will be liable to be dragged before a Court-martial, and made to answer for offences alleged to have occurred six months before. I shall not detain the House longer upon this portion of the Bill: but I cannot avoid referring, for a few moments, to the fifteenth and sixteenth sections of the Act. Under those sections (the objects of which are, perhaps, not very indistinct) there is not a single man in England who may not be carried before those Courts-martial in Ireland; under those clauses every single individual in this House, and out of this House—perhaps it might not be a stretch of the imagination to suppose that only one individual was looked for—may be summoned before those Courts-martial in Ireland. For let it be observed, that this Bill is not limited to Ireland; it contains not the usual clause that it "shall be in force in that part of the United Kingdom called Ireland;" it has no such words in it, and, therefore, I do affirm that under the sixteenth section those Courts-martial could summon by warrant any one in the British dominions to attend them, and under that section any man in England might be dragged over as a witness to attend those Courts-martial in Ireland, and when they had him there they might try him for what they pleased. Oh! there is another feature, which I must not forget. It is for the first time declared in the history of legislation, except in the instance of offences under the excise and the revenue laws, that where a man is charged by an indictment, he is not to be considered innocent till he has been proved guilty. I ask how it is such a change is now contemplated? How is it that the first Reformed Parliament can propose to take away this safeguard? Even the Insurrection Act, or the Arms Act, was not equal to this. Under these Acts no man was to be convicted unless it could be proved that he had a guilty knowledge of the possession of arms; but under the present Act, all that is necessary to prove is, that a man has arms in his house, and he must be convicted unless he can do that which is most difficult to prove, that he was ignorant of their being in his possession; so that were they hidden for that purpose by an enemy, the probability is, that the man must be convicted. As to signals also, this Act is most remarkable—all signals by smoke are declared illegal. The Bill indeed is as ludicrous as it is atrocious. It is as great a compound of absurdity and atrocity as ever was perpetrated by a Whig Government. What poor man was there whose chimney did not send up daily a signal of smoke, if he had anything to cook for his family's dinner? But here was the absurdity of the Act, that a party of the police may see the smoke rising from a poor man's cabin on a hill, which they may fancy to be a signal, and three months after will call on him to take his trial before a Court-martial, and call on him to disprove the fact that the smoke is a signal, taking it for granted that it is a signal, unless that fact can be disproved. Reformers of England I hope will look to this Bill. You talk about confidence in the Government; and you say that you will pass the Bill on account of your confidence; but I hope you said, that not being aware of what this Bill really is; and I hope, now that you are aware of it, you will feel that it is a Bill which ought not to pass this House. It is a Bill which places innocence in the situation of guilt; which gives the Government the power of throwing us into secret dungeons; which takes away all ability of resistance, and suppresses the power of complaint. I fear I weary the House in describing the Bill, but I feel it to be my duty to do so. And this is the composition to which the noble Lord opposite is about to lend his name; this is the Act which is to have his sanction! I ask you whether this Act is to be taken as a proof of the Union between England and Ireland? It is, indeed, just such a union as that which some of the tyrants of old instituted between a dead body, and a living man, though it not unfrequently happened that the putrescency of the dead body destroyed the life of the other. I beseech the reformers of England to consider this, and also to consider, how it is likely to affect England itself. Let but this Act once take place in Ireland, and let a successful court manœuvre or intrigue, throw the power of the state into the hands of some of the present administration, and of some who do not belong to it, and with such an Act in operation in Ireland, schedule A will be revived, and you will have 105 members for Ireland ready to back any ministry, however corrupt or despotic. Ministerial machines might soon be put in motion, and Ministers might have just as good an un-reformed Parliament as you had before. At all events, if they have not, it will not be from want of power or inclination, but from want of dexterity. I ask on what evidence you are about to pass this measure? Such a Bill as this ought to be grounded upon the most irrefragable, complete, and absolute evidence of its necessity. It is not sufficient to talk about confidence. We must not consent to see the Constitution abolished, without the strictest, most irresistible evidence of necessity. This evidence cannot be obtained without a painful, deliberate investigation and inquiry. It is not sufficient to prove that there are crimes; we all admit that crimes exist. It is not sufficient to say, that crimes must be put down; we all admit that crimes ought to be put down. But is it necessary, in order to do this, to annihilate the Constitution? Every body admits the necessity of putting down crime; but in order to do this, must we put down the Constitution? I shall notice but very briefly the observations of hon. Gentlemen who have spoken on the other side during the course of this debate. I shall refer to the speech of the noble Lord, the member for Devonshire, to the speech of the hon. and gallant General, of the hon. and gallant naval Captain, of the hon. and learned Baronet, of the hon. and learned member for St. Albans, the noble Lord, the member for Nottingham, the right hon. Baronet, the member for Tamworth, the Chancellor of the Exchequer, and the right hon. Secretary for Ireland. With regard to the noble Lord, the member for Devonshire, the only argument that I could collect from him in favour of this Bill, and the only reason why he would support it, was, because he was friendly to Ireland. If this be the case, all I can say, and I say it with great sincerity, and unaffectedly: "May God preserve us from our friends." As to the hon. and gallant General, he did not do much more than describe several conversations which he had with the peasantry in Clare, and the north of Ireland; and he also bore testimony to the hospitality with which he was received. All I can do in return is to present my compliments for the manner in which he has thought proper to evince his gratitude. The gallant naval Officer stated, that he had disported himself by hunting in the county of Kilkenny, and he also spoke in warm terms of the Irish hospitality—I must say, that I do not think he makes us a very good return. He seems to have allowed his apprehension to prevail so far as to lead him to utter calumnies against the people of Ireland. ["No," *from Captain Berkeley.*] I say yes. [*No.*] I say yes—and I tell the gallant Captain I can prove it. It seems that, from some apprehensions—I do not use the word in an offensive sense—the gallant Captain went about armed. He stated, that he followed the example of the gentry. [Captain *Berkeley:* I did not.] I beg pardon of the gallant Captain. I certainly so understood him, but it appears I am mistaken. The hon. and learned Baronet (Sir George Grey) favoured us with a dissertation upon agitation, and his reasons for supporting the Bill, and, amongst other things, he commented upon some observations of my hon. and learned friend, the member for Tipperary. I think the hon. and learned Baronet induces me to become a most incurable Repealer—for when I find a Gentleman of his great talents, legislating in such utter ignorance of the state of Ireland, I cannot but feel more strongly than ever the necessity for a domestic Legislature. The history of agitation which he gave betrayed the most complete ignorance of the subject. But what I was more particularly surprised at, was his ignorance upon a subject more peculiarly connected with his own profession. To a remark respecting the trial of capital felonies by Special Commissions, he answered as though it was said they should be tried by Special Juries. It would cause much amusement in Ireland to hear of capital felonies being tried by Special Juries. The hon. and learned Baronet also said, that Repeal of the Union was brought in as soon as the Reform Bill came into this House, in order to meet it. There never was a greater mistake—there never was greater proof of ignorance in point of fact. Repeal of the Union was agitated in 1830, when the Tories were in power, and they issued proclamations to put it down. It was agitated in 1831, when the Whigs were in power, before they brought in the Reform Bill, and they also issued proclamations against it. It had been the subject of agitation from the year 1810 to the year 1817, and its postponement was publicly avowed. Indeed, I myself publicly avowed, that the question would be postponed till we had gained an equality of civil rights in Ireland. Instead of its being brought up to meet the Reform Bill, it was, in point of fact, suspended by the Reform Bill; and I have little doubt that it would have been totally given up when the Irish Reform Bill was brought in, had that Bill been equal to the English Reform Bill—had its provisions been framed in a spirit of fairness and equality—so far, therefore, as the hon. and learned Baronet is about to legislate on a supposition of the accuracy of the facts which he stated, he is about to legislate under an erroneous impression. The hon. member for St. Albans declared, that his support of the Bill was founded on the intimidation that prevailed in Ireland; and in proof of that intimidation, referred to the case of the trial of the murderers of the rev. Mr. Going. I wish very much that an inquiry could be instituted into the trial of that case, as I am sure I could prove that no intimidation did exist, and that a very exaggerated and erroneous impression has gone forth to the world on this subject. The murder of Mr. Going took place about ten years ago, and I assert, without fear of contradiction, that his son-in-law was not a material witness, and that he was not absent through intimidation. What would have been the conduct of the Solicitor General, or of those who attended to prosecute on behalf of the Crown, if he had been a material witness; more especially if threats were used to prevent his attendance? Why, they would have caused the trial to be postponed, and have detained the prisoners, or, at least, placed them under strict rule. The hon. Gentleman is totally misinformed. The son-in-law was not a material evidence, and three or four witnesses were produced. The case was a doubtful case; the Judge expressed doubts; the Jury gave the prisoners the benefit of the doubt, and acquitted them; the Judge approved of the verdict; and nothing ever happened to any of the witnesses who came forward to give evidence against the prisoners. I have great respect for the talents of the hon. member for St. Albans; and when I see a man like him legislating for Ireland under such ignorance of her real state, it adds another circumstance to strengthen the conviction of the necessity of Repeal. I trust, however, that the mistake into which he has been led will not be suffered to operate to the injury of Ireland, but that he will review his opinion, and not take part against Ireland, at least, without previous investigation. As to the noble Lord, the member for Nottingham, who came forward with much of that diffidence which is frequently to be found united with an excellent character, and a mind not altogether unconscious of its own powers, he certainly made a very important statement respecting the state of crime in the county of Carlow, He said, there had been 400 crimes in that county within the last two months; but he did not take into consideration that all the assaults which had happened at two contested elections, which were contested with peculiar animosity, were included in that list; and I do not doubt that at least 250 cases of that description are included in the 400. And what was the proof which he brought forward to show that the Sheriff could not obtain a sufficient number of Jurors through the intimidation practised—that he was obliged to furnish them with an escort? No; but that he had raised the fine on absence from 20*l.* to 50*l.* I do not see the hon. member for Leeds in his place ["Hear," *from Mr. Macaulay*]. I am glad to see that the hon. Member is present. He said, that he had read many speeches of mine which induced him to vote for this measure. I defy him to produce any authentic production of mine possessing the character that he has attributed to those speeches. He might have read speeches atattributed to me in newspapers, but he has read incorrect reports of them. I will tell that hon. Member where to find my speeches. He will find them given in the *Dublin Morning Register*, in the *Pilot*, and *Freeman's Journal*, with sufficient accuracy as to the sentiments, without giving the exact phraseology in which those sentiments were delivered. Very probably the hon. Member has read the reports of my speeches in a Government print, and I will just give him a proof of the accuracy of such an authority in Ireland. There is a paper recently established by the Government in Dublin. Connected with that paper there is an individual who informed against me at the period I was prosecuted under the Administration of the Marquess

Wellesley, and with whom I have not exchanged a word since. An inaccurate report of a speech of mine having been published in that paper, the indivdual in question, who was one of the reporters of the paper, rose in my presence in a public meeting, and declared that he would not be responsible for the report as it had been altered by the editor after he gave it in. Such was the conduct of a newspaper in the pay of the Irish Government. If the hon. and learned Member wishes to read misstatements as to Ireland, let him look to the *Edinburgh Review.* He will there find calumnies enough in relation to Ireland. There never was a composition containing more falsehood. Let him refer to one article in particular, on the subject of elections in Ireland, and I will undertake to prove it to be full of calumnious assertions and falsehoods on the popular party in Ireland. I will, however, dismiss much of incidental observation and remark, and come at once to the consideration of the measure immediately before the House. The first thing that is said of it is, that it is so unconstitutional —so foreign from every principle of that Constitution which has been so long our boast — so utterly destructive of every principle of civil liberty, as to find particular favour in the eyes of its framers. This, they say, constitutes its great merit, as there is no danger of its ever being brought into a precedent. Ridiculous assertion. It is as a precedent that its greatest danger consists. The Courts-martial have already formed a precedent for it—and it in turn will form a precedent for future invasions of the Constitution. Hereafter when a Minister brings forward an unconstitutional measure, and when he shall be opposed by those who may call themselves Whigs, he will refer to this measure with triumph, and will say, "you gave five Judges only; I give nine, and they must be unanimous. I send my prisoners to the common gaols: you to some private and secret dungeon." And when he falls short of you in the slightest degree, instead of blushing for his infraction of the Constitution, he will feel himself entitled to boast of his liberality in bringing forward a measure less arbitrary and despotic than yours. Oh, how I fancy I hear the cheers which will ring from those benches, when he shall taunt the minority with this measure. This Bill goes to the very furthest limits of unconstitutionality, and leave a wide bound within which to range. I know that I am wearisome to the House, and what is worse, I have only begun. You have two things to establish the necessity of this Bill as applied to predial agitation, and the necessity of coercion as applied to political agitation. In order to do this, you must first pursue an investigation as to the causes of predial agitation. No man can legislate for the removal of this evil without perfectly understanding the cause. I did expect the right hon. Baronet who supported this measure, would have given us some statesmanlike dissertation on the causes of this agitation. It was his duty to have done so. He did not, however, think proper to enter into this subject. It has been admitted by some Members that tithes are one of the causes. The right hon. Gentleman denied this; but the noble Lord, the member for Nottingham, who is well acquainted with the state of Ireland, said that Ireland would never be tranquillized until the system of tithes should be put an end to. The Vestry Cess and Grand Jury Cess the rack-rents and the conduct of the landlords have also borne their part. But, if these are some of the causes of predial agitation, in what manner does this Act provide a remedy? It gives more power into the hands of the clergy; and do you think they will not use it? It gives more power to the collectors of Cess of various kinds, and gives more power to the landlords; it gives them more dominion over their tenants. The right hon. Baronet spoke of a parliament of landlords and referred to the improbability of landlords entering heartily into a reform of those abuses. But the right hon. Baronet himself has done much, no doubt unintentionally, to increase the distress of Ireland—I mean by the change of the currency. I know that many a family has been ruined by that change—a change which has increased their rent and their burthens, but diminished the value of their commodities, and driven them from comfort to distress, and from distress to the commission of these very crimes which this law is to put down. I have often deliberated whether it was not my duty to use my influence for the purpose of driving the Government to a bank restriction, and to a cheaper currency. I have not done so yet. But I am quite convinced that much of the distress which exists cannot possibly be alleviated without a cheaper currency. My hon. colleague has rather unceremoniously introduced the name of the reverend Mr. Dwyer; that man was proved to be a persecutor and an extortioner. A poor widow obtained a decree against him for exacting too much tithe; she went with a bailiff to enforce the decree, and point out the tithe, and he actually took advantage of an Act passed for very different purposes, summoned her before a bench of Magistrates, who fined her 2*l.* under the Wilful Trespass Act, though she was merely seeking to enforce a legal decree. This is a fact which is supported by a letter that I have seen from Mr. Staunton Lambert, late member of this House for the county of Galway, and a most respectable gentleman. It is the duty of Ministers to show, before bringing forward a bill for authorising unconstitutional measures, that all legal means of remedying the evils of which they complained have been exhausted. It is also their duty to show that there exists no other constitutional means not going beyond the law which they have not exerted. On this ground, too, I shall be able to show that there exists no necessity for having recourse to the present coercive measures. If his Majesty's Ministers, after having used all legal and constitutional means, had applied for any such measures, there is not a single man who would not have been ready to support them. The House would have voted them unanimously. Now some such measures were suggested by the committee on the Queen's County; and they must have known of their existence and of their efficacy. This is why I arraign them; this is why I accuse them; because they know that there exist effectual means and because they do not use those means which they have ready; for here is the evidence before the committee of last year. My accusation is, that they have not used the means which have been tried before, and tried successfully. They have never tried Special Commissions in Ireland in any instance in which they have not been successful. They have tried them also successfully in England. The report stated that the Special Commission in the Queen's County had been eminently successful for the time. His Majesty's Ministers ought not, therefore, to have recourse to such steps as they now propose, unless they have already tried, without success, those means which have been found successful both in England and Ireland. If we are to be suffocated—if the liberty of Ireland is to be trampled upon—if we are to be taunted as the protectors of crime—let then the reformers in the House require the Ministers to show that they have tried all the means which have been suggested in the Report; for whose is this Report? Though the right hon. Secretary, who was a member of that Committee, did not attend—I also was a member, and was able to attend only one day—the right hon. Secretary must at least have read the Report. He had the power of exercising his judgment with respect to it. If he had objected to any parts of the Report, would Sir Henry Parnell have made such a Report without carefully listening to his suggestions? The Committee tell this House that the Queen's County was quieted by a Special Commission, and give as their authority the evidence of the Lord Chief Justice, which states that such has always been the case in Ireland, and that of Mr. Barrington, for seventeen years Crown Solicitor on the Munster circuit, the largest in Ireland—a more intelligent, more honourable, man, or one more entitled to credit in point of integrity, does not exist among those whom I now address, or one more entitled to the character of a gentleman, and there is none his superior for trustworthiness. I implore the House to hear, before it proceed, the testimony of this man—that Special Commissions whenever they have been tried, have succeeded. That was the case in Cork, Kerry, Limerick, and last of all in Clare. With what face then, can the Ministers pretend that they have not already sufficient powers, when with these powers such as they are, they have succeeded in quieting that county at a time when it was in a state of actual rebellion—at a time when the peasantry were actually in possession of the county, when they dug up the potatoes, took possession of the tolls on every turnpike-road in the county, committed murder in the open day, and were, in short, in military possession of the county. I wish the Reformers in this House to weigh dispassionately the evidence and Report upon the subject, before they venture to give their sanction to the suspension of constitutional law in Ireland. It is proved, that Special Commissions have produced their effect in England and Ireland; and in the name of justice—in the name of the Constitution (and then you may sneer)—in the name of liberty, I summon you, Reformers to call on Ministers to retrace their steps, and tell them they ought not to presume to ask for unconstitutional powers, until they prove that there exist no Constitutional means adequate to the occasion. I differ from the opinions of my hon. friend, the member for the University of Dublin, with respect to the Assizes. The Assizes have civil business to perform. The Special Commissions have nothing to look to but the object for which they were sent—the putting a stop to the outrages in the disturbed districts. It has been triumphantly shown that Special Commissions never were unsuccessful. I can prove that by various extracts from the Report and evidence on the Queen's County, they all show that Ministers already possess adequate means for the suppression of disturbance. If a case such as that which I have now made out had been addressed to an impartial Jury (I mean nothing offensive), I should be stopped in my evidence, and the Jury would have hurled the plaintiff out of Court. But the Ministers take care not to have recourse to these constitutional methods, because they would not then have it in their power to treat the nation as they please. You have heard by their own confession, that they had these means; but they have thought this act preferable, because by using constitutional means, they would have destroyed the grounds which they had for claiming such measures as the present, and would have disturbed their progress to the authority and despotism of this measure. That despotism and that authority which they now claim would not have existed if they at first had recourse to the constitutional expedient of Special Commissions. I utterly deny that any evidence whatever has been adduced to show the necessity of ulterior measures. The noble Lord and the right hon. Secretary, have made, it is true, some particular statements. They have mentioned a threatening notice against Parson Dwyer, and I do not know how many Parson Dwyers may be in that red box. The right hon. Secretary told us of a number of Lord-lieutenants who had written to him on the disturbed state of their respective portions of Ireland, and urging the adoption of measures of coercion; but he did not mention the names of those Lieutenants; so that with respect to us who are called upon to legislate according to their evidence, their evidence is entirely anonymous. I will tell you a little of the history of some of these illegal notices. In the county of Wicklow, a number of these notices were sent to ladies and their husbands. Among others one was addressed to the son of the Lord Chancellor of Ireland—he would not call him one of the young Hannibals, but the vicar of Bray, for he was the vicar of Bray. He possessed something of his fathers shrewdness, and observed, I think I know that hand. He sets to work, and traced it to a Protestant, a poor Orangeman, who was soliciting a place in the police. Thus the reverend Mr. Plunkett served to show a little of the nature of these notices. It always happens, that when the number of these notices is great in any district, that district is considered disturbed, and the number of the police is in consequence increased. It is, therefore, the interest of all who are desirous, and have any hopes of being so employed, to make the number of such notices as great as possible. The ground for the adoption of these measures is agrarian crimes; but I have stated, that during the last twenty years, Special Commissions have repeatedly put a stop to that sort of disturbance. The right hon. Gentleman spoke of the murders which had been committed, and mentioned the base assassination of the reverend Mr. Houston, and he seemed to think that it originated in a private quarrel, in which all were drunk, and that this was a palliation of the murder. I cannot agree with him; the act was equally atrocious, whether it was the fruit of a private quarrel or of the system of tithes. Who would consider it otherwise? I have thus said enough to prove, that the House ought to be satisfied that there exists a necessity for having recourse to unconstitutional measures, and should proceed only on the evidence of the necessity. But now I will take up the other side, and demonstrate that this measure is not necessary, on the evidence of Members on the other side itself. I am sorry to be obliged by my duty, at this late hour of the night to trespass on the patience of the House. I will demonstrate, on their own showing, that the passing of this Bill is not necessary. First, the disturbance is merely local, and confined to particular districts. There is no disturbance in Ulster or even in Munster, nor is it universal in Leinster. I deny the existence of any in the county Louth. Then it is alleged that there exists a deceitful tranquillity. In Dublin county and in Dublin city, there is no disturbance. In King's County, in the county Longford, in Drogheda, and other counties, the people are tranquil. In Meath, several persons were convicted lately of assaulting the police, the persons who so assaulted them being drunk at the time; when the chief of the police observed, that as the people of Meath behaved so peaceably, he thought it would be best for the police to forgive them. Only a small portion of Ireland is actually disturbed—only a population of about 500,000 out of 8,000,000. And is that trifling portion of disturbers to afford sufficient reason for outlawing all the rest? The disturbance is nothing to what it has been in former times: in 1824, it reached to sixteen counties. I would ask the member for the Tower Hamlets, if the Union between England and Ireland be really complete, whether it would be equally just to extend the same measure to England and Wales on account of these partial disturbances? Well, if the extent of the disturbances is small, let the House see what are the grounds the measure is placed upon. In the first place, witnesses, it is said, have been intimidated. Has there been a single witness injured? The answer is, not one. That has been the answer of the noble Lord himself.

Lord *Althorp* was understood to deny that statement, and observed, that he had referred to Queen's County.

Mr. *O'Connell:* All I can say is, I have taken down the noble Lord's words, and that he stated, when reading from a document, that "no witness had been injured." But it was said they had been intimidated; but the House has not heard the name of a single witness who has been injured. Witnesses allege that they have been threatened, for they have a deep interest, as it is the invariable practice in the case of such threats being used, to remove the witness from the abode of wretchedness to a place where he can live in plenty. One instance has been brought forward by the right hon. Baronet, which occurred nineteen years ago, of two witnesses, husband and wife, of the name of Delain. The barony of Collaugh was much disturbed, and these persons came forward as witnesses on a Crown prosecution. I defended the prisoners. The husband, Delain, gave a very good, and a very consistent account of what he wished the Jury to believe to have been the nature of the transaction in question. But his wife, on being subjected to cross-examination, and not having heard her husband's testimony, betrayed the whole plan, although she agreed perfectly with her husband's evidence on all those points which they had settled between them. Baron George said: "Mr. O'Connell, here's a capital indictment. You need not take up the time of the Court with it, for no Jury could convict in such a case." What was my astonishment when I was informed that the prisoners had, notwithstanding this, been condemned? The Whiteboy Act gives the power of trying an offence of this nature either as a misdemeanour or a transportable felony. The same facts had been laid as a misdemeanour, and the four prisoners suffered the full severity upon this conviction. Delain and his wife returned to the country. They were assassinated. The husband and wife were both assassinated; but the child, whom the mother had held as a protection, was taken away and kindly treated. What grounds does that afford for having recourse to any unconstitutional methods? Eight men were executed for that crime. One innocent man was executed, who was proved to have had no other connexion with the murder than that he had walked for a short distance along with the murderers before the commission of the act. He had served in the navy, and was returning home. He left them to go to his own home. If Juries commit these mistakes with all their inclination to do justice, and Judges are anxious to assist the prisoner by every means in their power, what can be expected from the tribunals which it is now proposed to set up, consisting of five military officers, of whom three are to decide the sentence of the criminal to transportation—to the horrible passage by sea, and to the removal from their friends and families. It is evident, therefore, that there is a sufficient protection in the already existing laws for the safety of the subject. Mr. Barrington, who has directed his attention to the point for seventeen years, asserts, in his evidence, that these crimes uniformly arose from local causes. But I will now drop the subject of witnesses. The next point to which I have to allude is one from which I cannot be shaken. It is that with respect to Juries. The assertion that Jurors have been injured for the purpose of intimidating others, is most unfounded. Nothing can be a greater calumny. The crime which has been alluded to was committed many years ago, and the party was no Juror. It was on account of his conduct under the Insurrection Act that he had become obnoxious. If his conduct as a Juror had been the objectionable part of his conduct, when acting in that capacity at the Special Commission, the August preceding, the parties to whom he had become obnoxious had opportunities of effecting their purpose before the time of the murder. As to the subject of the injury done to Jurors, we have heard a story of a horse belonging to one of them dying in a ditch; and are these old women's tales—these foolish stories, to be considered sufficient to cause the suspension of the *Habeas Corpus* Act, of the Trial by Jury, and of constitutional liberty? Am I in an English assembly? Can I believe that it is an English House of Commons, which is willing, for one moment, to entertain the idea of doing away with constitutional liberty in Ireland? Am I not sure to stand triumphantly in its defence? If it can be believed that Ireland can ever be enslaved, or that she will ever crouch to any despot, let them send for the Dey of Algiers, who is disengaged. I thank the member for Leeds for the suggestion. I will give all up that I have said, if it can be shown that I am incorrect in these assertions. Do you think that this forbearance with respect to Jurors was accidental? Listen to the evidence of Mr. Barrington, on the point of the discrimination which the peasantry exercise in these matters. He distinctly states, that he knew no instance of hostility to Jurors on the part of the people. This is the evidence of a man who, for seventeen years, had the best opportunities of judging on the subject, and the business of whose life, during that long period of it, had been to attend to these things. At the same time his evidence had certainly proved that persons acting under the Insurrection Act had frequently been attacked and suffered injury; but there was not the slightest hostility against Jurors. English reformers, this is the evidence of a man in the confidence of his Majesty's Government. If he be not so, why do they not dismiss him? Why, because all Ireland would laugh them to scorn? He is possessed of that honour and integrity which is deserving of confidence. I do not say so because I boast of the honour of his friendship, but because he is known to me and to the public of Ireland in general as an intelligent and upright man. Think, reformers, think for a moment of the extensive and atrocious measure, and see whether it be fitting that this should be the first act of the first Session of the Reformed Parliament—that Parliament which contains the men who struggled through good report and through evil report—who struggled against hope in the cause of freedom—is it fitting that that Parliament should open with such a measure as this? It depends on the spirit of the patriarchs of Reform to prevent the people of Ireland from being fettered by Ministers, on the ground of foolish, false, and I would say lying (if it were not too undignified a word) calumnies. Because Jurors dare not, it is alleged, do justice in consequence of intimidation, it is proposed to abolish trial by Jury. It has been argued against a domestic Parliament, that although, indeed, it would restore the absentees, yet they would never equal the generous Noblemen and Gentlemen of England. Here is the occasion to show their noble-mindedness and generosity—here it is. I will not believe, I cannot credit, that this will ever become law—that they will refuse to yield to argument—that they will allow it to be supposed they have no inclination to redress the evils of Ireland—they will let injustice swelter at the hearts of Irishmen. Think not that they are not an intelligent—that they are not a shrewd people. Think you that they will not see that the law possesses the means of redressing wrongs or crimes committed by law, and that your measures are therefore uncalled for? Think you that they will not remember that you have not had special commissions, and, therefore, are not called upon to destroy the Constitution? Think you that they will not recollect that you have no right to pretend that Jurors cannot act from intimidation? You cannot say, that justice cannot procure convictions; for the Attorney General himself has stated, that in thirty-nine prosecutions which he instituted, he procured thirty-eight convictions. I defy them to show an instance of failure in obtaining a conviction where that was at all warranted. As to witnesses, it is known that sixty of those who appeared for the Crown were fed and well-clothed in a barrack in Dublin, one of whom, having stated he had gone into a shop to purchase something, declared, on his cross-examination, that he did not know who furnished him with the money. The Carrickshaugh trials (nobody could doubt that these were murders) were said to afford an instance of Jurors being intimidated. I defended one of the prisoners on that occasion. The matter is of so much importance, that I cannot omit this opportunity of mentioning the grounds on which I did so. I defended the prisoner, not because I considered the act not to be murder, but because there was a doubt about his identity. The first Crown witness did not identify him. In that case I can speak, from my own knowledge, that no intimidation took place; and the Jury, who acquitted the man, consisted of seven Protestants and five Catholics. I can state a number of other cases, to show that Juries have not been intimidated. John Ryan was put upon his trial on the 5th of July; thirty-five of the Jurymen were challenged by the Government. The trial came on; a beggar-boy was put forward, dressed, not as a beggar-boy, but in such a style that he looked like a little gentleman from Merrion-square. He was interrogated as to the nature of an oath, and found to be so ignorant that he was put down. A man named Ross was indicted; he was proved to be a kind-hearted man, and one quite incapable of committing such an offence as that which was charged against him. He was acquitted, though 132 Jurors had been put by on the part of the Crown, forty-five of whom were Protestant Gentlemen. Ross was again indicted, and again acquitted. Was either of these an improper acquittal? Is there a Gentleman now present who will say, that any one of them was? At the end of the Assizes one Juror was excused, on the ground that his wife had dreamed that something would happen if he attended. There is no pretence for saying that there had been a failure of justice in the Carrickshaugh case. You do not show that any of the witnesses had been injured, nor any of the Jurors—nor that there has been a failure of justice. Why, then, do you claim these extraordinary powers? Instead of looking to special commissions, which would quiet the country, what have you been doing since August last? What, but enforcing your new Tithe Act, going from parish to parish with horse, foot, and artillery, to collect tithes, and turning the Lord Lieutenant of the country into a tithe-proctor-general. You say you have not fabricated these insurrections, nor the evidence of them. I believe you are incapable of doing it; but if it was your intention to fabricate evidence, you could not have acted more completely for such a purpose than you have done. You want to get up a case to put his Majesty's subjects in Ireland at your disposal; and what do you do? You avoid the means of putting down the disturbances, and at the same time you stimulate us in what you know is our most sensitive point. That is what you have done—without the intention, perhaps, of exciting us; but seeing what you have done, are you surprised at the result? You may well be surprised, that it is not worse than it is. You have done your best to make it worse. You have done all that it was possible to do. I should like to know, when you talk of these murders by the people, how many of the people have been shot by the police in this tithe campaign; I know that the number is extraordinarily great. It was great in Mayo. I should like to have the accounts from Mayo. It was great in the Queen's County. Many have been shot in Kilkenny—many in Waterford—and in Cork multitudes! Four of the last verdicts I knew of before I left Ireland were against police or marines for wilful murder. To show the system of provocation with regard to tithes, I will state the case of Wallstown. There is a statute of 7th George 3rd, c. 21, by which the people are enabled to serve notices on the clergyman, that they will set out his tithes by a particular day, in order that he may come and draw them off; and that statute makes it necessary for them to leave the tithes on the land, secured and protected as long as they leave their own crop on the ground. A trick was resorted to by the people. They did preserve the tithes as long as their own crop was on the ground; but they availed themselves of the absence of the clergyman; they kept off his tithe proctors, and having removed their own crops, they destroyed the tithes. The clergyman had his remedy under the 27th of George 3rd, which makes it a penal offence to obstruct a clergyman or impropriator from valuing and setting out any tithes to which he may be entitled; but, not content with that, he would insist upon going upon the land whilst the crops were growing, which no lawyer would pretend to deny was a trespass. Outrages were the consequence. Dr. Fitzgerald, a physician, who had been turned into a stipendiary Magistrate, hearing that the people had attacked Archdeacon Cotton's men, applied to the Castle for advice about calling out the military. The case was laid before the Crown lawyers, and their opinion was, that the question was so doubtful, that they would not authorise him to employ the police to protect the valuators under the circumstances I have here stated. This is the evidence of Mr. Fitzgerald before a Committee of the House of Lords, given on the 18th January, 1832. He stated, that the thing occurred in August, 1831. Notwithstanding that opinion of the Crown lawyers, the Irish Government sent horse, foot, and artillery. Since August last, while you have avoided Special Commissions, you have employed the police and military, and at Wallstown no less than four persons were shot. Are you surprised at insurrections after this? Let me be answered on this, and I shall be able to reply. I have been of necessity longer than I anticipated in making these observations; and yet I have not gone through a part of the case which most interests myself, though I would do so, if I could feel an interest stronger in what relates to myself than in what concerns my country. I care not for personal attacks. If I had not the consolation of knowing that my intentions are pure and disinterested, and that I am anxious only for peace, good order, and freedom—if I had not the comfort of my own feelings in this respect—if my conscience did not approve, not of every expression, perhaps, but of my motives—if I did not feel that my motives are only the warmest wishes for the increase of human happiness and liberty, wherever the slave is oppressed, or the oppressor can be found—if I had not these things to console me, I might feel the attacks that have been made upon me; but having them, I care not for the taunts of those who

> "See all things clear
> With fifteen hundred pounds a-year;"

and who might see otherwise with a different income, or if that income was taken away. But, Sir, the wrongs of my country have been mixed up with attacks on me. Why not banish me for a year and a half? I tell you what, I will consent to it. You shall banish me; but do not thus oppress my country. What is this Reformed Parliament, the representative of the great and generous people of England—what is it doing? Disguise it as you will, you are legislating against a single individual. I really pity you. You do this because my name is made to rhyme with a line of a miserable ballad. Oh, it was excellent wit—it was superabundant cause of merriment. You may delude yourselves with this, but you will not delude the sensible people of Ireland or of England. They will see, that this atrocious Bill of Pains and Penalties is passed against me. There are many men existing who think I am one who say—that if you cannot do without such a measure, you ought to abdicate. If you cannot govern Ireland without it, it is most necessary that you should abdicate. The advantage of England calls for your abdication. What will become of your National Debt and its interest, if you oppress us till you drive us into a servile war? Do you think you can preserve Ireland in the teeth of this injustice? You come for these measures; you do not tell us of what effect they will be after you get them. I have shown you that stillness may be produced by the Special Commissions. If I advise you, it will be said I threaten; if I prophesy, I shall be taunted with provoking what I prophesy. Such is the miserable condition I am in, that I cannot tell you of your danger without having it said that I am creating that danger. I abandon giving you advice — I know what is its value—but I avoid giving it. I will say nothing more of the consequences of this measure—of what will be its effect—for take notice you must, that it is not sufficient for you to have shown what you have yet shown, in order to put down the Constitution. If the Special Commissions are to be at an end—if murder is still going on—still you are not warranted in trampling on the Constitution; you must show, that by doing so you can cure the evil. You must not pass such a measure merely to gratify your own idleness, to enable yourselves to sleep in your beds of down. You must show, that what you propose is a cure for the evils you have been talking of. You cannot show it. The measure may produce temporary tranquillity, but it will be followed by greater rancour; there will be a greater cause for rancour. Now, poverty struggling to maintain a miserable existence—then, both judgment and reason entering into the contest, and fortifying the despair of distress. Labour in Ireland has, at present, no certainty of hire, nor any reward. It does not get a bounty of 6*d*., no, nor 2*d*. a-day, out of land producing 4*l*. an acre on green lands, and sometimes 8*l*. an acre for potato lands; and yet this is all that the miserable wretch who cultivates them has to subsist on. These are the evils;—and then the tithes! Did not one noble Lord tell you, that unless you abolished tithes this measure would not be sufficient? There is not an individual of more honour or honesty in this kingdom than the noble Lord, the member for Nottingham. I know that he is opposed to opinions that I hold to be most true; but he is so conscientiously—he is a man of high mind; he is a member, too, of the Government; and what does he say? That you must abolish tithes. The right hon. Gentleman does not agree with those opinions; he would flog not high but low. The noble Lord tells him, that until you change the destination of tithes, till you take them from a supernumerary and unnecessary clergy, you gain nothing. What will your Bill do without this? It will make the breach more wide; it will make men cry out for justice, and make the old exclaim, that manly vigour is gone, and the country is no longer able to vindicate its rights. Do not deal with us thus—for your own sakes I would impress it on you—it is for your own benefit that I give this advice. What were the grievances of America when she left you? You had not dared to trample on her as you have trampled on Ireland: yet you did enough to make the Americans separate themselves;—you spurned their petitions—you taunted their messenger, Franklin. I will not venture to compare myself with him. You accused him of being the forger of a letter, which was as genuine as the heart of the man was true. You sent him from your House with insult; and what was the result? There was no party in that country, as in Ireland, clinging to some measure of despotism, and supporting you in it, with a view to ruin your character, and to give itself strength; and so, the people being united, they successfully resisted you. But, do you think you have a party in Ireland which will assist you in your undertaking? By whom, I ask you, will you execute this measure? By the Orange party?—by that Magistracy which every Ministry has promised to reform and to correct?—by that Magistracy whom the right hon. Gentleman instructed Lord Manners to revise, and who would have been reformed, but that, by the influence of some member of the Government, the bad men were restored again to power? This is the effect of the evidence of General Burke—they are, in fact, the instruments named in this Bill—they will be the agents, the hosts, the entertainers, of those who are to execute this offspring of the spirit of their party. Lord Cloncurry—what does he say of them? He says, he has known the debtor Magistrate transport his creditor. That is the administration of justice in Ireland. I have not heard it—it is no vain rumour—I have known it; I have known, too, of the admirer of female beauty transporting the father or the brother of the female! These are not the only instances of abuses under the Insurrection Act. Are these the men to whom you will again give such power?—is that the intention of this Reformed Parliament? If you do not give them the power, but suppress the Orange lodges, as you will suppress the Political Unions—if, in truth, you act impartially, Ireland will be against you to a man. You must bring them to your bosoms, or this will be the consequence. I know that others know it—one especially, whom, though he differs from me in opinion, I respect most sincerely for his honesty and for his talents. If you will not rule by them, they will not act with you. You may execute your measure, and what will it produce? The tranquillity of the grave—a deathlike silence, and a dreary repose; but not peace—not quiet—not confidence. You may bury ashes, but they will not burn again: you may sow dragon's teeth—take care they do not rise armed men. I say that, in the first place, you have not made out a sufficient case to justify you in calling for this measure. In the second, you have not shown that this is the proper remedy for the evils of which you complain. In the third, you have given nothing like legal evidence for the measure. In the fourth, you have not shown, that one witness or one Juror has been injured since the Special Commission in the Queen's County. As to the danger to the witnesses, the county of Clare was quieted by two Special Commissions. Witnesses were examined before the Judges—where are those witnesses? In thatched cottages in the very district itself. One of them, on whose evidence five men were convicted, lives in such a cottage in a dreary part of the country. He has resided there ever since. A Catholic clergyman wrote to inform me of the fact, in order that I might state it to the Government, to let them know where the man was, and to persuade him not to tempt his fate. He was an informer; on his evidence five men have been executed on charges of murder. If any man can be supposed to be in danger from giving evidence, that man is. If the precaution to protect witnesses be not superfluous, protect him. If it be, this measure is not wanted; but because I suggest the possibility that such precaution would be advisable in his case, I am met with a taunt and a laugh. The man has resided there for two years. I show you that your witnesses are safe; that no Juryman has been injured; that Special Commissions have not been resorted to; and having shown this, I say that I have established the non-existence of any necessity for this measure. I say that till you have tried constitutional, you have no right to introduce unconstitutional measures, and that this House ought not to adopt them till then. I know it is said, that if the powers thus given be abused, the Ministers will be responsible to a Reformed Parliament. But who will complain here or elsewhere? You stop all complaint—you stop even petitioning, and that in the most efficacious way—and then you mock us with scorn, and talk of responsibility. I now come to another part of the subject. You say, that this measure is necessary against predial and political agitation. How do you show the connexion between them? Has there been any direct allegation of their connexion? Is not the offence already provided for by a punishment of transportation for life? If that be not enough, you have the general law of Conspiracy to meet every case. When there were public meetings, which you deemed improper, at the end of last year, you put them down by those Acts; you prosecuted, and you never failed of a conviction. But I deny, with the most indignant scorn, that political agitation is in the slightest degree connected with predial agitation. You cannot deny us inquiry on this point. Separate, in Committee, this measure into two Bills, and let us have an inquiry. Let us not be tried on scraps of newspapers, containing, one of them at least, a gross falsehood—that which attributed to me the creating of Arbitration Courts, and holding up to the hatred of the public those who would not attend them. The fact is, that political agitation is calculated to stop predial agitation. This is proved by the fact, that as political agitation has been extended, predial agitation has diminished. The Catholic Association was established in 1824; and in that year it was, that Sir Thomas Lambert circulated at his own expense, 30,000 copies in the South of Ireland, of an address written by me to tranquillize the country. Let us see what the effect of establishing the Catholic Association was. The number of persons charged with treasonable offences was, in 1823, 106; 1824, one; 1825, one; 1826, one; 1827, none; 1828, none; 1829, none; and the greater number of these years were "years of political agitation." Offences with violence have decreased, as political agitation spread. There were accused of seditious practices,—in 1822, 499; 1823, 424; 1824, 121; 1825, seventeen; 1827, four; and whereas, for robbing of arms, in the year 1822, sixty-four men were arraigned; in 1828, the number came down to seven. I here show you six years of the greatest agitation; during which predial crimes have gradually decreased in Ireland. Here, then, can you say that predial and political agitation are concurrent? What do I ask for upon these facts? Nothing but inquiry. All I say is, hold! do not give us a gagging Bill; do not deprive us of the *Habeas Corpus* Act, and the Trial by Jury; do not condemn us unheard. We are not Whitefeet; and do not carry on our attacks by night, but by day. Why cannot you put us down by day, then? You have the Libel Law, and may proceed against the papers which publish our speeches. What have we done that you should deprive us of the rights of Englishmen—without inquiry? You may insinuate—you may allege—you may say, that peace is recommended by us, but that we promote disturbance. If that be the case, you can prove it, and it is an indictable offence for which you may punish us. You cannot contend that you have not the power to convict us, for one of our complaints is, that you can, and do, pack Juries. You packed a Jury to try me; and might do so to try any other man. When the Jury, by which I was tried, was selected, you put off from it Alderman M'Kenna, whom you afterwards made a Baronet; you also put off the Chairman of the Bank of Ireland, and others, who, it was thought, would only act fairly, till you succeeded in obtaining a Jury known to be violently against me;—for although I have many friends, I have some enemies in Dublin. You can do all this again; and you have no pretence, therefore, for saying that you cannot enforce the law. You tell us, that a multitude of crimes are committed in Ireland, and the circumstance was much insisted upon by the right hon. Baronet, the member for Tamworth. I beg the House will for one moment lend me its attention, whilst I make an observation upon the powerful speech delivered by that right hon. Gentleman—a speech which, perhaps, better answered the purpose of its deliverer than any he ever before delivered in this House. Alluding to the period of the year 1798, he instanced a case of the seizure of an individual in Ireland at that time, upon whose person were found several copies of an Address to the United Irishmen, exhorting them to peace and sobriety, to refrain from all kinds of violence, and to be patient and submissive; but with all this apparent desire to encourage order and the authority of the law, a Serjeant's Oath, and a Return of the number of United Irishmen in several towns were also found upon him. The right hon. Baronet inferred from that fact that others might now be doing the same [*hear, hear*]. Let those who cheer listen, and learn how the case stands. What was the peace of the United Irishmen? They suggested military discipline; their peace, among themselves, was military discipline—the discipline of the regiment—of the camp: they were not to get drunk; they were not to commit themselves with strangers; they were to be orderly and keep the peace; but prepare for the field: the Serjeant's Oath was one part of it. Their organization was military. What Commander of a regiment is there, quartered in Dublin, who does not issue his orders to the troops under him, not to go into public houses, to make no enemies, to avoid all suspicious persons, to shun disturbances, and to conduct themselves peaceably to all men. This is the "discipline of the camp;" it was that of the United Irishmen. But what are our engines of action? Public and open proclamations of grievances, sufferings, and misery; complaints that, in the richest land in the world, the people are starving; that the Church wallows in wealth, while they want sustenance;—that the Magistracy is tyrannical—that Juries are packed—that the Corporations are narrow monopolists, bigoted and exclusive;—in a word, that everything is for the enemies of the people, nothing for the people themselves. These grievances have been superinduced by the Landlords' Law. This House has passed five Acts of Parliament increasing the power of the landlord over the tenant, who may now be turned out of his farm and ruined for something less than 7*s.* 6*d;* whereas, formerly, the legal process cost 15*l.* or 16*l.*;—a cheap mode of killing off the superabundant tenants by parliamentary authority. I defy any one to show that I have stated one grievance of Ireland that did not exist, or exaggerated any one actually existing. I repeat the challenge. Show me that I have done so, and then turn your parliamentary powers against me, if the ordinary law is not strong enough. But until you show me, that I have done one or the other, what care I for your charges? The noble Lord entered, the other night into a calculation of the number of offences committed in Ireland. He went through a period of thirteen months, and gave us an account of thirteen or fourteen murders which had been committed in that time. The right hon. Baronet who spoke subsequently to him, by some strange multiplication, increased the number to 116 murders; as much blood, he observed, as was shed at the battle off St. Vincent. [Mr. *Stanley:* Sixty-six actual murders, and 133 cases of attempt to kill]. The noble Lord certainly did not say thirteen; but he went through that number of individual cases one by one. That is not, however, what I complain of. I ask why are we to adopt this hop-step-and-jump statement? How know I that it is correct? Where are the cases—where is the return of them? Ought not we to have something tangible? Or shall we remain in doubt? The question is, to take away the Constitution. Let me suppose the noble Lord to be right in taking 1,500 as the number of crimes of all kinds committed in Ireland within the last three months. What is the state of crime in England? The noble Lord's catalogue includes threatening notices and serious assaults, and the total amount is, he says, 1,500. I beg the House to bear with me, while entering into this calculation. How many of that number were assaults, I know not—I care not—it is no matter: but all the assaults are included in it. Several of them were not of a common nature—not cases of the mere lifting up of a finger, but cases in which an actual blow was given. What, however, was the state of crime in the year 1822? There were 738 actual committals for treasonable offences, seditious practices, robberies of arms, assembling armed by night, and robbing the mail. Add to these offences many for which the perpetrators were not committed to trial, and you will have at least 7,380 for the total number in that year, considerably more in proportion than the number stated by the noble Lord to have occurred in the last thirteen months. Again, in the year 1823, the number of committals was 629, which would give 6,290 for the offences in that period. Let me now turn to England. In the year 1831, the capital offences of the highest nature, not including assaults, amounted to 19,646, and in the year following, to 21,000, or 5000 each quarter. Now, the population of England is 12,000,000, that of Ireland is only 8,000,000. [Mr. *Stanley:* The statement was confined to the province of Leinster]. It is the province of Leinster alone, to which that calculation applies. How know I the correctness of the fact? Would not a Court-martial require some more evidence to decide upon than this? How know I, that in that catalogue there are not repetitions, many of them regarding the same offence? How know I what faith is to be placed in those who made the returns? How do I know who the accusers are? Take the rest of the offences throughout Ireland—they are not 500 for the other three provinces for the same period. Take the case in the strongest way against me, and they will not amount to more than the number of higher offences, only, in England and Wales. In the county of Kerry there are eleven prisoners; in the western division of the county of Cork, there are only ten. Is a country to be outlawed on such a statement as this? Above all, upon this miserable calumny, are we to trample down every right that is dear to freemen—even the right to complain? We were told by the right hon. Baronet, that agitation has subsisted in Ireland concurrently with these crimes. The fact is, agitation commenced in the month of October; it increased in November, though not rising to any serious height. The elections then intervened, and engaged everybody's attention; and in a fortnight or three weeks we were all here. Agitation has had no time to hold out hope to the people. The right hon. Gentleman assailed Mr. Steele, and read a passage from a speech of that Gentleman, in which there was certainly a good deal of ribaldry, and for which (I do not hesitate to say) the Government were right in putting him on his trial. That trial he must abide; and, if the Jury think that he used the expressions with an intention derogatory to his allegiance in any way, they will convict him; but, if they believe that he used them in order to obtain the confidence of the people, whereby he might be enabled to promote peace—which will be his only defence—though if the Jury should be of the same opinion as hon. Gentlemen here, they will convict him, and he will be punished; otherwise they must be bound to acquit him. I will only say, with reference to that Gentleman, that they mistake him much, who judge of him from those passages of his speech. He is, it is true, an enthusiast, and a generous enthusiast; but he is, also, a man of science, and an excellent scholar. He has made many scientific discoveries; he has improved the diving-bell.; and when a tunnel was projected, under the bed of the Mersey at Liverpool, he was the means of preventing many of the citizens from embarking in a ruinous speculation. I will not speak of the chivalrous manner in which he risked his person, and ventured much of his fortune in the cause of Spanish liberty; but there does not exist a creature of more true humanity of disposition, though mixed with a strain of occasional wildness, than my friend Mr. Steele. I do assure Gentlemen who laugh at Mr. Steele, that if they had the pleasure of his acquaintance, they would very soon learn to estimate him highly. While Gentlemen might lament his failings, they would unquestionably esteem his manliness, his kindness, and his many good qualities. I am aware that he now appears before the House in a situation which renders him liable to be misunderstood. But I know him well; and if other Gentlemen knew him as well, they would esteem him as warmly as I do. But what has he done? I will here mention a remarkable fact to the House, illustrative of his character. In one of the late encounters in the county of Kilkenny, between some Whitefeet and a party of police, one of the former was shot, and died of his wounds. Mr. Steele attended the inquest, and made a speech to the man's relations, pointing out to them, in very strong characters, the folly and misery, as well as the criminality, of their conduct. But what I more particularly wish to bring to the attention of the House is, the funeral proceedings on this occasion. The place appointed for the interment of the body was a mountain-pass. At that spot he had the body laid out; he stopped the weeping and wailing of the friends of the deceased, and then harangued the people in an address—in which, after pointing out the disastrous consequences of their improper behaviour, he said, that he thought it his duty to offer his tribute of just praise to Major Brown (of the police), whose humanity and benevolence rendered him the object of the blessings of the surrounding country. Now, who was this Major Brown? The very man by whose hand the deceased had fallen; at least, who commanded the party from whom that individual received his death-wound. Such was the conduct of Mr. Steele. See what the Irish peasant suffers without the least reproach! The body of the dead man was there—his wife, children, and friends were there; and upon that occasion the very individual by whose hands he had fallen received a tribute of praise for his humanity and kindness from this agitator. I do not think this incident can be an uninteresting one to the House, and therefore I have narrated it. I turn now, however, to another subject, and am drawing to a close. I have omitted many topics, but I will now go to the more direct attack made on me personally by the right hon. Secretary, who, the other evening, read a letter of mine to the House. It is my habit to put my name to everything that I send to a newspaper; and if the matter be indictable, I afford the Government an opportunity of prosecuting, not only the proprietors of the paper, but myself. What was the passage which the right hon. Secretary read? It was that in which I stated that the member for Athlone had voted against Ireland, and I appealed to the people to know whether they approved of his conduct. I also made use of similar language with respect to the members for Limerick. The right hon. Secretary said, that I was wrong in having done so; and he was cheered. I assert that I was right, and perfectly constitutional. I have a right to appeal to the public against the vote which any man gives in this House. I say, that that is a constitutional principle. I have no right to impute motives, and there was no motive imputed in the case in question. I have no right to say, that there was a dishonest intention in the party voting—that he was looking for a place for himself or for a relative; but I do assert it, here, that every human being, governed by laws, has a right to complain of the votes of the framers of those laws. There was an attempt made by this House to suppress the publication of the lists of divisions. [*No, no!*] There was. I appeal to my hon. friend, the member for Middlesex. The publication was complained of in the year 1822; and the House put it down. But the lists are now published. You are the servants of the public, not of any particular place. When elected by any one constituency, you represent the whole United Kingdom; and so every man has a right to know your vote and canvass it. No man has a right to impute motives to you; but I claim a right of stating my opinion as to the mischief which I think any vote of yours may create: and that right I will exercise, until you put it down by some Gagging Bill. I am willing that the same privilege should be exercised by any one else with regard to my own vote. I have now wearied the House. I have not exhausted the subject, nor have I exhausted the deep interest I feel in it. I say, that as far as political agitation is concerned, there is no such case made out, that any dispassionate man, putting his hand to his heart, can say, there is evidence to connect it with predial insurrection. Upon inquiring into the subject, facts to the contrary stare you in the face. Is not Ireland in distress? Is she not in want, and suffering grievances? The noble Lord, the member for Armagh, exclaims that relief must be given; and you promise relief. Oh, yes! If we pass this Bill, you will give us a measure of Church relief. But are you sure of passing that measure of relief in another House? It has little immediate practical benefit, besides the abolition of Church-cess. But to secure it, why not adopt the wise Motion of my hon. friend, and keep your hands over this measure until you have steered the other over the rocks and quicksands in another place? I am not entering into any compromise. I say, that Ireland requires relief, and I ask how do you propose to afford it her? You will not apply any part of the rich revenues of the Church to the relief of the poor. What is to become of them? You can give them nothing; and the only thing I can offer them is hope—the hope of a domestic Legislature. You may think that a delusive hope. How are you to show it to be such? By anticipating me—by evincing that you are a protecting Legislature—that you are a kind and paternal Legislature. Oh! instead of that, you turn away the look of kindliness;—you turn away all benefits, and leave the grinding evils. You leave the rack-renting absentees—you leave every misery and grievance untouched—for bread you give them a stone—you raise the scorpion rod of despotic authority over them—and say, that "you must be feared before you can be loved." I deny it, Sir—I deny that you have made out a case—I deny that you have shown that predial insurrection has anything to do with political agitation;—I deny the right upon which you found this coercion—I deny that witnesses have been injured—lately, at least, to any public knowledge. If they have, I utterly deny that any Juror has been injured, during the whole period of this political agitation. Predial agitation subsisted for forty years before political agitation commenced. Having thus demonstrated that this measure is by no means necessary, shall I trust the despotic power it confers to hands which I think ought to have no power at all—to statesmen, who mingle miserable personal feelings with their political conduct? I call upon you, if you would conciliate Ireland—if you would preserve that connexion which I desire you to recollect has never yet conferred a single blessing upon that country—that she knows nothing of you but by distress, forfeitures, and confiscations—that you have never visited her but in anger—that the sword of desolation has often swept over her, as when Cromwell sent his eighty thousands to perish—that you have burthened her with grinding penal laws, despite of the faith of treaties, and in violation of every compact—and that you have neglected to fulfil the promises you dealt out to her. You have, it is true, granted Catholic Emancipation; but nine-and-twenty years after it was promised, and five-and-twenty years after the Parliament of Ireland must, of necessity, have done so. We know you, as yet, but in our sufferings and in our wrongs; and you are now kind enough to give us as a boon this Act, which deprives us of the Trial by Jury, and substitutes Courts-martial—which deprives us of the *Habeas Corpus* Act, and in a word, imposes on a person the necessity of proving himself innocent. That Act you give us, and you tell us it will put down the agitation of the Repeal of the Union. I tell you, that until you do us justice, you can never expect to attain your object. The present generation may perish. Your Robespierrian measures may destroy the existing population; but the indignant soul of Ireland you can never annihilate. There was a time when a ray of hope dawned upon that country. It was when the present Parliament first assembled. We saw this Reformed House of Commons congregated. We knew that every man here had a constituency—we knew that the people of England were represented here—we knew that the public voice not only would influence your decisions, but command your votes—we hoped that you would afford us a redress of our grievances;—and you give us—an Act of despotism!

Mr. *Cobbett*: I move the adjournment of the debate. We have heard a great deal from the other side of the House of midnight murders and assassinations. If this Bill pass, it will be the murder of the Constitution. If we must murder it, at least let us murder it by daylight.

Lord *Althorp* said, it was clearly understood last night, as far as such a matter could be made one of arrangement, that the House were to sit, however late, and endeavour to finish the discussion to-night. How was it possible that his Majesty's Ministers could conduct the business of the country, if after such an understanding, the debate were to be again adjourned? He should certainly say, that after the long discussion, and after the speech of the hon. and learned member for Dublin, the sense of the House might be advantageously taken at once. But he had no right to stand in the way of any hon. Gentleman who wished to address the House; and he and his friends were quite ready to perform their part of the understanding of yesterday evening, and listen to any further arguments that might be advanced on the subject.

Mr. *Cobbett* said, he had no wish to be obstinate. He was not present when the sort of engagement was made to which the noble Lord had alluded; but if the seconder of his Motion acquiesced in his withdrawing it, he had no objection to withdraw it.

The Seconder having intimated his acquiescence, the Motion for adjourning the debate was withdrawn.

Lord *Althorp* then rose to reply: he assured the House that he should detain them only for a few minutes; that he should use his best endeavours to make himself heard; but he begged to suggest, that repeated demands for silence was not the most effectual mode of obtaining it. One of the first topics to which he should endeavour to address himself, was one on which he felt no small solicitude — which arose from an anxiety to remove a suspicion that appeared to be entertained of his not being so favourable to the adoption of the present measure, and therefore not so cordial in recommending it as the other members of his Majesty's Government. He could assure the House, that, however much he might regret the necessity for such a proceeding—and none regretted more deeply than he did the condition of society which made such a step indispensable—none more sincerely deplored the extent of severity which had become unavoidable—but at the same time seeing that necessity, and admitting its pressure, none more heartily or cordially united with the other members of the King's Government in framing the measure which circumstances demanded; and, in laying it before Parliament, no one could more sincerely or earnestly urge its adoption. The hon. and learned Gentleman, the member for Dublin, in giving an account of the state of Ireland, and in describing the number, the extent, and the atrocity of the outrages committed by the native Irish in the time of Queen Elizabeth, appeared to him to be doing nothing more than detailing an amount of crime and of suffering about equal to that which was inflicted by the lawless insurgents who now wielded an almost despotic power in Ireland — a power which rendered life and property insecure to a degree of which past history afforded scarcely a similar instance, even in Ireland. It was not to be disputed that the state of things in Ireland was such, that no man dared to give an opinion adverse to the views of the dominant party—that no man ventured to utter a sentiment that might by possibility be thought opposed to anything which the lawless miscreants who ruled in some parts of Ireland adopted as the principles of their assumed government. Was such a state of things to be met by mild and gentle measures, or was it not, on the contrary, to be encountered by that which, he was willing to admit, bore the character of a despotic measure? He felt, that in dealing with a question of that nature, involving as it did so many details, and coming to it at the end of so long a debate, he could not proceed through all the details, still less could he take up the several topics in anything like a regular order; and, therefore, it only remained for him to notice them as they presented themselves to his mind, confining himself to those which appeared of the most importance. It had been said, that illegal notices had been served by persons who desired to get into the police, and those Members who had not paid much attention to the affairs of Ireland might imagine that the service of illegal notices was a matter of no such very great importance; but it was a very great mistake to suppose that they were matters of such trifling moment, or that any person, even suspected of such an offence, could, for a moment, hope to be employed upon the police establishment. The service of illegal notices was, in Ireland, a very serious matter; and, as must be in the recollection of many hon. Members, notices were served upon Mr. Houston three months before the threatened murder was committed. It was true that, in introducing the measure, he admitted that no actual violence had been offered to Jurymen; but how did that alter the nature of the question? Though they had not actually suffered by direct violence, it was well known that they had been intimidated, and that one gentleman had been obliged to sleep with pistols under his pillow for fear of some outrage being committed on him, because he had not attended on some trial where the insurgent party calculated on the acquittal of a criminal. He did not, however, trust to solitary cases of that kind—he trusted to the general reports from the disturbed districts, given as the best authority; and, above all, to the charges of the Judges. There had already been a good deal of quotation from the charges of the learned Judges who had presided at the several Special Commissions; but what said the Chief Justice at the Special Commission for the Queen's County?—That whole classes were proscribed, that the humblest individual who served the most common process of the law was treated as a felon; that the witness who gave testimony, from whatever motives, was treated as a common informer of the most degraded and worthless class; and that, when unprotected by actual military force, they were made the objects of the most brutal and cruel tortures to which human nature could be subjected. Jurors were scarcely in a better situation; and in such a state of things, the House were called upon to respect the principles of the British Constitution, and not to aim at the introduction of any powers beyond the ordinary operation of the laws. The hon. member for Meath had charged the Gentlemen of that county with great neglect, in not coming forward to resist the outrages committed in that part of the country; but he trusted that the House would bear in mind, that things had arrived at such a pass, that no interference on their part could arrest the progress of crime. It had been made a matter of reproach against the present Government, that they were not prepared to propose the introduction of Poor-laws in Ireland; certainly the King's Government entertained no wish to introduce into Ireland the system of Poor-laws which had been established in England. Many persons, of the highest authority, had expressed a strong conviction that the introduction into Ireland, of any system of Poor-laws, could not but be attended with the worst effects; and worst of all, the introduction of the English system. Was there any one in that House who recommended the introduction of the English system of Poor-laws? There certainly had been no decision on the part of his Majesty's Government against the introduction of Poor-laws into Ireland; but, at the same time, there had been no decision in favour of any measure of that nature. They certainly had not decided that such a measure would be improper; but they had quite made up their minds that the English system would not do. He had received great complaints from various Members for the mode in which he had introduced the Bill; but these complaints came all from those opposed to the measure. His speech on the occasion had been contrasted with that of his right hon. friend, the Secretary for Ireland. Now he was willing to admit, that he was sincere in the view which he took of the question; but, he was afraid that, if his sincerity was to be judged of by the excellence of his speeches, he should indeed be left in a sad plight. From the supposed coincidence between their views and those of the right hon. Baronet, the member for Tamworth, and, upon that supposed coincidence, were founded various reports of a coalition with the right hon. Baronet and his friends. Now he trusted that it was hardly necessary for him to say, that for such a report there was not the slightest foundation; and he was sure that no one who attended to the speech of the right hon. Baronet, but must see that there existed a very considerable difference between that right hon. Baronet and the Government of the King. The hon. member for Coventry had complained of him and his colleagues, for saying, that they would stake their situations and the permanency of the Government upon the result of the present measure; but his noble friend, the Paymaster of the Forces, had fairly replied to that, by saying, that they would be utterly disgraced if they demanded such a measure without the highest degree of necessity; and that, having demanded it, they would falsify their own assertions by abandoning it. He fully agreed with those hon. Members who thought that, in a Reformed House of Commons, it did not become them to assume that they had lost the confidence of the Legislature on every occasion on which they might be left in a minority. The present was not a struggle between two parties, but an anxious effort, on the part of the House, to adopt the course which the necessities of the country required. There had not been the slightest attempt at dictation on the part of the Ministers; but, supposing it were otherwise, had they not been outdone by their opponents, who said to them, you shall carry on the Government according to our views, but you shall, though without power, be answerable for the result? It had been matter of objection against the Bill, that it did not afford a sufficient remedy for the evils of Ireland. He admitted it did not, but it would go to remedy one of the evils—that of the extreme insecurity which rendered life and property almost of no value there; and as to further and other remedies, he trusted the House would do him the justice to believe, that there existed as sincere a desire on the part of his Majesty's Government, as on that of any of their opponents, to remedy as many as possible of the evils which afflicted that unhappy country. At that late hour he should not trouble the House with any further observations.

The House divided: Ayes 466; Noes 89—Majority 377.

Bill read a first time.

List of the AYES.

Abercromby, Rt. Hn. J.
Acheson, Viscount
Adam, Admiral C.
Adams, E. H.
Agnew, Sir A.
Althorp, Viscount
Anson, Sir G.
Anson, Hon. G.
Arbuthnot, General
Ashley, Lord
Ashley, Hon. H.
Astley, Sir Jacob
Astley, Sir John
Atherley, A.
Baillie, J. E.
Baillie, Colonel J.
Bainbridge, E. T.
Balfour, J.
Bankes, W. J.
Bannerman, A.
Baring, H. B.
Baring, W. B.
Baring, A.
Baring, F. T.
Barnard, E. G.
Barnett, C. J.
Bateson, Sir F.
Beaumont, T. W.
Belfast, Earl of
Bell, M.
Benett, J.
Bentinck, Lord G.
Berkeley, Capt. M. F.
Berkeley, Hon. C. F.
Berkeley, Hn. G. C. F.
Bernal, R.
Bernard, Hon. W. S.
Bethell, R.
Bewes, T.
Biddulph, R. B.
Biddulph, R.
Bish, T.
Blackstone, W. S.
Blake, Sir F.
Blaney, Hon. Capt. C.
Bolling, W.
Briggs, R.
Brigstrick, W. P.
Brocklehurst, J.
Brodie, W. B.
Brougham, W.
Brougham, J.
Browne, J.
Browne D
Bruce, Lord E.
Bulkeley, Sir R. W.
Buller, J. W.
Buller, E.
Bulteel, J. C.
Burdett, Sir F.
Burrell, Sir C.
Burton, H.
Buxton, F. F.
Byng, G.
Byng, Sir J.
Calcraft, J. H.
Callander, J. H.
Calley, T.
Calvert, N.
Campbell, Sir J.
Carew, R. S.
Carter, J. B.
Cartwright, W. R.
Castlereagh, Viscount
Cavendish, Hon. C. C.
Cavendish, Lord
Cavendish, Hon. Colonel H. F
Cayley, Sir G.
Cayley, E. S.
Chaplin, Colonel T.
Chapman, A.
Chaytor, W. R. C.
Chaytor, Sir W.
Chetwynd, Capt. W. F.
Chichester, J. P. B.
Chichester, Lord A.
Childers, J. W.
Christmas, W.
Clayton, Col. W. R.
Clements, Viscount
Clive, E. B.
Clive, Hon. R. H.
Cockerell, Sir C.
Codrington, Sir E.
Cole, Lord
Collier, J.
Colquhoun, J. C.
Conolly, Col. E. M.
Cookes, T. H.
Corry, Hon. H.
Coote, Sir C. H.
Cotes, J.
Crawley, S.
Crompton, J. S.
Curteis, H. B.
Curteis, E. B.
Dalmeny, Lord
Dalrymple, Sir J. H.
Dare, R. W. H.
Darlington, Earl of
Dashwood, G. H.
Davenport, J.
Davies, Colonel.
Dawson, E.
Denison, J. E.
Denison, W. J.
Dick, Q.
Divett, E.
Dobbs, C. R.
Donkin, Sir R. S.
Duffield, T.
Dugdale, W. S.
Duncombe, Hon. W.
Dundas, Capt. J. W.
Dundas, Hon. J. C.
Dunlop, Capt. J.
Dykes, F. L.
Eastnor, Viscount
Ebrington, Viscount
Egerton, W. T.
Ellice, E.
Elliott, Hon. Capt. G.
Estcourt, T. G. B.
Etwall, R.
Evans, G.
Evans, W.
Ewart, W.
Ewing, J.
Fazakerley, J. N.
Fellowes, H.
Fellowes, Hon. N.
Fenton, J.
Ferguson, R.
Ferguson, Sir R. A.
Ferguson, Sir R. C.
Eergusson, Capt. G.
Fergusson, R. C.
Fielden, W.
Finch, G.
Fitzgibbon, Hon. R.
Fitzroy, Lord C.
Fleming, Hon. A. C.
Foley, J. H.
Foley, E. T.
Foley, Hon. T. H.
Folkes, Sir W.
Fordwich, Viscount
Forester, Hon. G.
Forster, C. S.
Fort, J.
Fox, S. L.
Fox, Lieut.-Col.
Frankland, Sir R.
Fremantle, Sir T.
Gaskell, J. M.
Gisborne, T.
Gladstone, T.
Gladstone, W. E.
Glynne, Sir S. R.
Gordon, R.
Gore, M.
Goring, H. D.
Goulburn, Rt. Hon. H.
Graham, Rt Hon. Sir J.
Grant, Rt. Hon. C.
Greene, T. G.
Greville, Hon. Sir C.
Grey, Hon. Colonel
Grey, Sir G.
Grimston, Viscount
Gronow, Capt. R. H.
Grosvenor, Lord R.
Halford, H.
Hall, B.
Halse, J.
Hallyburton, Hn. D. G.
Handley, W. F.
Handley, B.
Handley, H.
Hanmer, Sir J.
Hanmer, Colonel H.
Harcourt, G. V.
Hardinge, Sir H.
Harland, W. C.
Hawes, B.
Hawkins, J. H.
Hay, Colonel A. L.
Hayes, Sir E.
Heathcote, G. J.
Heathcote, J.
Henniker, Lord
Herbert, Hon. S.
Heron, Sir R.
Herries, Right Hon, J. C.
Hill, Lord A.
Hill, Lord M.
Hill, Sir R.
Hobhouse, Sir J. C.
Hodges, T. L.
Hodgson, J.
Hope, Hon. Sir A.
Hornby, E. G.
Horne, Sir W.
Hoskins, K.
Hotham, Lord
Houldsworth, T.
Howard, P. H.
Howard, R.
Howard, F. G.
Howick, Viscount
Hoy, B.
Hudson, T.
Hyett, W. H.
Ingestre, Viscount
Ingham, R.
Inglis, Sir R. H.
Jeffrey, Rt. Hon. F.
Jermyn, Earl of
Jerningham, Hon. H.
Johnston, A.

Johnstone, Sir J. V. B.
Johnstone, J. J. H.
Jollyffe, Colonel
Jones, Captain T.
Keane, Sir R.
Kennedy, T. F.
Kepple, Hon. G.
Kerrison, Sir E.
Kerry, Earl of
Key, Sir J.
King, E. B.
Knatchbull, Sir E.
Knox, J.
Labouchere, H.
Lamb, Hon. G.
Lambton, H.
Lamont, Captain N.
Langdale, Hon. C.
Langston, J. H.
Lee, J. L. H.
Leech, J.
Lefevre, C. S.
Lefroy, Dr. T.
Lemon, Sir C.
Lennard, T. B.
Lennard, Sir T. B.
Lennox, Lord W.
Lennox, Lord J. G.
Lennox, Lord A.
Lincoln, Earl of
Littleton, E. J.
Loch, J.
Locke, W.
Lopes, Sir R.
Lumley, Viscount
Lushington, Dr. S.
Lyall, G.
Lygon, H. B.
Maberly, Col. W. L.
Macaulay, T. B.
Mackenzie, J. A. S.
Macleod, R.
Madocks, J.
Mahon, Viscount
Mandeville, Viscount
Mangles, J.
Manners, Lord R.
Marjoribanks, S.
Marjoribanks, C.
Marryat, J.
Marshall, J.
Marsland, T.
Martin, J.
Martin, J.
Martin, T. B.
Maxwell, H.
Maxwell, Sir J.
Maxwell, J.
Maxwell, J. W.
Methuen, P.
Meynell, Captain H.
Mildmay, P. St. J.
Mills, J.
Molyneux, Lord
Moreton, Hon. A. G.
Moreton, Hn. H. G. F.
Morpeth, Viscount
Mostyn, Hn. E. M L.
Murray, J. A.
Neale, Admiral Sir H. B.
Neeld, J.
Nicholl, J.
Noel, Sir G.
Norres, Lord
North, F.
O'Callaghan, Hon. C.
O'Grady, Hon. Col. S.
Oliphant, L.
Ord, W. H.
Ormelie, Earl of
Ossulston, Lord
Oswald, R. A.
Oswald, J.
Owen, Sir J.
Owen, H.
Oxmantown, Lord
Paget, Sir C.
Paget, F.
Palmer, C. F.
Palmer, R.
Palmerston, Lord
Parker, J.
Parker, Sir H.
Patten, J. W.
Pechell, Sir S.
Peel, Sir R.
Peel, Colonel J.
Pelham, Hon. C.
Pendarves, E. W.
Pepys, C. C.
Perceval, Colonel
Peter, W.
Petre, Hon. E.
Philipps, Sir R.
Philips, Sir G.
Philips, M.
Phillipps, C. M.
Phillpotts, J.
Pigot, R.
Pinney, W.
Plumptre, J. P.
Ponsonby, Hon. W.
Potter, R.
Poulter, J.
Powell, Col. W. E.
Price, Sir R.
Pringle, R.
Pryme, G.
Pugh, D.
Ramsbottom, J.
Reid, Sir J. R.
Ricardo, D.
Rickford, W.
Rider, T.
Ridley, Sir M. W.
Robarts, A.
Robinson, G.
Rolfe, R. M.
Romilly, J.
Romilly, E.
Rooper, J. B.
Ross, Captain H
Ross, C.
Rotch, B.
Rumbold, C. E.
Russell, Lord J.
Russell, Lord
Russell, Lord C. F.
Russell, W. C.
Russell, C.
Ryle, J.
Sandon, Viscount
Sandford, E. A.
Scott, J. W.
Seale, J. H.
Sebright, Sir J.
Sharp, General M.
Shaw, F.
Shawe, R. N.
Sheppard, T.
Simeon, Sir R.
Skipwith, Sir G.
Slaney, R. A.
Smith, J. A.
Smith, J.
Smith, R. V.
Smith, Hon. R. S.
Somerset, Lord G.
Spencer, Hn. Capt. F.
Spry, S. T.
Stacey, E.
Stanley, Right Hon. E. G.
Stanley, Hon. H. T.
Stanley, E. J.
Staunton, Sir G. T.
Staveley, J. K.
Stawell, Colonel
Steuart, R.
Stewart, Sir M. S.
Stewart, E.
Stewart, Sir H.
Stewart, P. M.
Stewart, J.
Stormont, Viscount
Strickland, G.
Strutt, E.
Stuart, Lord D. C.
Stuart, W,
Talbot, C. R. M.
Talbot, W. H. F.
Talbot, J.
Talmash, A. G.
Tennant, J. E.
Thicknesse, R.
Thompson, P. B.
Thomson, C. P.
Throckmorton, R. G.
Todd, J.
Tooke, W.
Townley, R. G.
Tracy, C. A.
Traill, G.
Trelawney, W. L. S.
Trevor, Hon. G. R.
Trowbribge, Sir E. T.
Turner, W.
Tyrell, Sir J. T.
Tyrell, C.
Vaughan, Sir R.
Verner, Colonel W.
Verney, Sir H.
Vernon, Hon. G. J.
Vernon, G. H.
Villiers, Viscount
Vincent, Sir F.
Vivian, J. H.
Walker, R.
Walsh, Sir J. B.
Walter, J.
Ward, H. G.
Waterpark, Lord
Watkins, J. L.
Wason, R.
Watson, Hon. R.
Wedgwood, J.
Welby, G.
Wemyss, Captain
White, S.
Whitbread, W. H.
Whitmore, W. W.
Whitmore, T. C.
Wilbraham, G.
Williams, W. A.
Williams, T. P.
Williams, R.
Williamson, Sir H.
Willoughby, Sir H.
Wilmot, Sir J. E.
Windham, W. H.
Winnington, Sir T.
Wood, G. W.
Wood, Colonel T.
Wood, C.
Wrottesley, Sir J.
Wyndham, W.
Wynn, Sir W. W.
Wynn, Hon. C. W.
Yorke, Captain C. P.
Young, J.
Young, G. F.

TELLERS.

Duncannon, Viscount
Rice, Hon. S.

List of the NOES.

Aglionby, H.
Attwood, T.
Baldwin, Mr.
Barron, H. W.
Barry, G. S.
Bayntun, Captain
Beauclerk, Major
Bellew, R. M.
Bulwer, H. L.
Butler, Hon. P.
Blackney, W.
Blandford, Marquess
Bowes, J.
Briscoe, J. I.
Brotherton, J.
Buckingham, J. S.
Buller, C.
Chapman, M. L.

Cobbett, W.
Cornish, J.
Daunt, T. O.
Dobbin, L.
Don, O'Conor
Ellis, W.
Faithful, G.
Fancourt, Major
Fielden, J.
Finn, W. F.
Fitzgerald, T.
Fiztsimon, C.
Fitzsimon, N.
French, F.
Fryer, R.
Galwey, J. M.
Gaskell, D.
Gillon, W. D.
Grattan, J.
Grattan, H.
Grote, G.
Gully, J.
Harvey, D. W.
Hume, J.
Hutt, W.
Ingilby, Sir W.
James, W.
Kemp, T.
Kinloch, G.
Lalor, P.
Lambert, H.
Langton, Colonel G.
Lister, E. C.
Lynch, A. H.
M'Laughlin, L.
Macnamara, Major
Molesworth, Sir W.
Nagle, Sir R.
O'Connell, D.
O'Connell, M.
O'Connell, C.
O'Connell, Morgan
O'Connell, J.
O'Connor, F.
O'Dwyer, A. C.
O'Ferrall, R. M.
Palmer, General
Parrott, Jasper
Richards, J.
Rippon, C.
Roche, W.
Roche, D.
Roe, J.
Roebuck, J. A.
Ronayne, D.
Rorke, J. H.
Ruthven, E.
Ruthven, E. S.
Scholefield, J.
Sheil, R. L.
Sullivan, R.
Talbot, J. H.
Tayleure, W.
Tynte, C. K. K.
Tynte, C. J. K.
Vigors, N. A.
Walker, C. A.
Wallace, R.
Warburton, H.
Wigney, I. N.
Wilks, J.

TELLERS.

Bulwer, E. L.
Tennyson, Rt. Hn. C.

Paired off.

Morrison, J.
Sinclair, G.
Torrens, Colonel R.
Wood, Alderman

HOUSE OF LORDS,

Wednesday, March 6, 1833.

MINUTES.] Petitions presented. By the Marquess of WESTMINSTER, from certain Dissenters, for the Repeal of the Laws regulating the Observance of the Sabbath.—By the Earl of ROSSLYN, from the Presbytery of Kirkaldy—for the Better Observance of the Sabbath.—By Lord KING, from Kilrane and Ballynaslarney,—against Coercive Measures for Ireland.

ABOLITION OF SLAVERY—PETITIONS.] Lord *Suffield* said, that he had several Petitions to present, on the subject of Slavery in the West-India colonies, but in the then thin state of the House (half a dozen peers at most were present), he should not feel justified in presenting the whole of them. He would, under the circumstances, therefore, limit himself to the presentation of two only, and the observations which he should offer on them would be very few. The first was from Weybridge, the second from a parish in the county of Wexford; they prayed for the total and immediate abolition of Slavery. He had in his possession many others to the same effect from populous towns and districts in the country, but those he should reserve till a future occasion; but he felt it to be his duty at once to state, for the information of the House and the country, that the great object of the majority of those who had hitherto thought proper to exert themselves for the abolition of Slavery, had been to leave the subject in the hands of Ministers, and to allow them full time and leisure to perfect those measures, which had been stated in another place to be in course of preparation, and which were described as likely to prove satisfactory to all parties concerned. Though the preparation of those measures had been protracted for a long period of time, yet the individuals to whom he had alluded were exceedingly unwilling to embarrass the Government by raising any questions in their Lordships' House, and, in consequence, exciting the public feeling on the subject, until the measures in question had been fully matured and presented to Parliament. There was, however, a rumour afloat—indeed, he need hardly to call it a rumour, for the fact was almost notorious, that the measures, brought at length to a state of maturity, had been submitted by Government to the consideration of the West-India proprietors, who had, most unadvisedly, as it appeared to him, thought proper to reject them. It was quite plain, therefore, that the delay in the settlement of this most important question no longer rested with his Majesty's Government, but was caused by the obstinate, and he might add, impolitic resistance on the part of the individuals connected with the West-India body. Under these circumstances, he thought that those persons, who, out of consideration to the Government, had hitherto been induced to forbear bestirring themselves actively in furtherance of the object in view, could no longer suspend their exertions; nor did he believe that the public would be disposed to bear the disappointment of the expectations which had been raised with any degree of patience. He wished to state distinctly, his conviction, and he believed the evidence would corroborate it, that a very strong feeling did exist throughout the kingdom on the subject of negro slavery. The forbearance which had hitherto been displayed he trusted would not be mistaken for apathy and indifference to the highly important subject of the emancipation of slaves. There was, he could confidently assure their Lordships, no such apathy or indifference in the public mind, and the delay in the settlement of the question was, he repeated, solely owing to the opposition made by the West-India body. He had heard it stated, with some degree of bitterness, that the Anti-slavery Society was the enemy of this body. The charge was most incorrect and unjustifiable. The society was far from considering the West-India body with vindictive feelings. Before he sat down, he would, however, offer this latter association one word of advice, which it would be well for them to attend to. Generosity, it was well known, was as strong a characteristic of the British public as the love of justice; but he would humbly suggest to the West-India body, and he did not speak without some reason, the policy of displaying a greater spirit of conciliation. The eager desire of the public for the enactment of a measure of conciliation was perfectly well known, and he was sure, that if that desire were attempted to be checked, it would increase till it became as irresistible as the call for Reform was last year. They were, at present, disposed to act liberally with the West-India body; he, therefore, warned that body against delay, as he was quite persuaded it would result in rendering the demands upon them much more extensive, and would cause those demands to be urged with more determination than ever. He counselled them to agree at once to the terms offered by Government, while those terms might yet be yielded to with propriety. The noble Lord, in conclusion, observed, that two days might not elapse before he might consider it his duty to call the attention of the House to the subject in a more specific way.

Petitions laid on the Table.

HOUSE OF COMMONS,

Wednesday, March 6, 1833.

MINUTES.] Paper ordered. On the Motion of Mr. O'DWYER, the Names, Offices, and Salaries of all the Members of the Privy Council (Ireland).

Bills. Read a first time:—Limitation of Actions; Curtesy of England; Dower; and Inheritance.

Petitions presented. By Lord SANDON, from Soap Boilers of Liverpool; and by Lord DALMENY, from Soap Boilers of Dunfermline,—to Abolish the Duties on Soap.—By Lord SANDON, from Stone, for the Repeal of the Sale of Beer Act.—By Lord ASHLEY, from Huddersfield, Barldon, Pudsey, Radcliffe, and Pilkington; from Bleachers in Renfrew, Lanark and Dumbartonshire; by Lord ROBERT MANNERS, from Sheepshead; by Mr. W. DUNCOMBE, from Earls-Herton, Halifax, and Thornton,—in favour of the Factories Bill.—By Lord ASHLEY, from St. Luke's, and various other Places; by Mr. PAUL THOMPSON, from several Places in the County of York and by Colonel DAVIES, from Worcester,—for the Better Observance of the Sabbath.—By Mr. CHARLES WOOD, from Halifax; and by Mr. PAUL THOMPSON, from Great Driffield,—for the Repeal of the Assessed Taxes.—By Lord DALMENY, from Bushy; and by Mr. CHARLES WOOD, from Halifax,—for the Abolition of Slavery.—By Mr. MORGAN O'CONNELL, from Parishes in Meath; and by Mr. VIGORS, from Raphoe and several other Places in Ireland,—against the Suppression of Disturbances (Ireland) Bill.

TRADE WITH THE BRAZILS.] Lord *Sandon* said, he had to present a petition on a subject of much importance to the commercial interests of the country, from the merchants of Liverpool. The petition came from a society calling itself the Brazilian Association, and they prayed for a remittance of the excessive duties on the sugars imported into this country from Brazil for the purpose of refining. In accordance with the objections which had been made on the subject of presenting petitions, he should not detain the House with any prefatory remarks, but he could not permit himself to present the petition without making the House fully acquainted with its contents. He must, therefore, read its contents to the House. The petitioners stated—

> That they carry on a very extensive commerce with Brazil, in the produce and manufactures of the United Kingdom, and are suffering great inconvenience and loss from the difficulty of obtaining a medium of return for their merchandise, and a back-loading for their shipping, arising through the operation of the present state of the law, which, by the imposition of excessive duties on the importation for consumption or manufacture, of the chief products of Brazil—namely, sugar, coffee, cocoa, and rum, prohibits their importation, except to a very limited extent, *in transitu*, and admits only for consumption the articles of cotton, tobacco, and hides. That the trade with Brazil has now become one of the most important branches of our foreign commerce, and deserves the especial protection and encouragement of the State; our exports of British manufactures produce to that empire, amounting annually to the value of upwards of three millions sterling, which manufactures and produce are admitted freely, and on the most favoured terms, for consumption in that country, and with which its people are almost exclusively clothed. That Brazil, not possessing any extent of shipping, these manufactures and produce are carried out to that country, almost exclusively in British vessels. That Brazil affords ample means of payment for

this merchandise, in her many and rich productions, and of freighting back to this kingdom an immense tonnage of British shipping, but that none of these articles are admissible on practicable terms, for use or consumption in this country, except the before-mentioned articles of cotton, tobacco, and hides, which form but a very small portion of the value of the whole. That, in consequence of these prohibitory laws, upwards of two millions of British capital is forced into other channels, giving employment and encouragement to foreign shipping and manufactures, paying to foreign European States freights, commissions, and charges, to the great loss of the British shipowner and merchant, as also to the general interest of British commerce, manufactures, and revenue. That it is within the knowledge of your petitioners, that one important branch of the manufacture of this kingdom—namely, that of sugar refining, has, for some time past, been only partially and unprofitably employed, and incapable of competing with foreign manufacture, owing to the scarcity and high price of the raw material, even with the advantage of the bounty of 8*s.* per cwt., which your petitioners believe to be paid out of the revenue, on the exportation of refined colonial sugars from this country. That, in proof of the injurious effect and extent of this monopoly and high bounty to the revenue, to the commerce, and to the comforts of the people of this kingdom, your petitioners humbly represent, that, although the price of British plantation sugar has been, on an average of the past year, as shown by the *Gazette*, about 28*s.* 6*d.* per cwt., the price of the refined sugar, called ordinary lumps, delivered free on board ship, and including several charges, besides that of manufacture, was only 25*s.* to 27*s.* per cwt.; the drawback on exportation being 36*s.* 10*d.* per cwt., and that double refined crushed sugars, having a drawback of 43*s.* 3*d.* per cwt., have been and are selling, also free on board, at 29*s.* to 30*s.* per cwt., thus giving to the foreign consumer this important article, in the manufactured state, at from 1*s.* to 3*s.* per cwt. less than the cost of the raw material; the whole expense of manufacture and difference of price being paid by the Treasury for the benefit of the foreign consumer, and to the injury of the sale of Brazil sugar in foreign markets. That the effect of this bounty on the exportation of refined sugars and bastards is not only a direct annual loss to the Treasury of from 300,000*l.* to 400,000*l.*,but an indirect tax upon the people to the extent of from one to two millions sterling, since the price to the consumer in this country is enhanced in proportion to the bounty paid on exportation to the foreign consumer; and further, tends materially to lessen the consumption, and, thereby, also the revenue and the comforts of the people. That your petitioners sincerely lament the distress, said to exist in some of the West-India colonies; but, from the evidence laid before a Committee of your Honourable House, during the last Session of Parliament, they cannot but attribute a great portion of their distress to the general management of their affairs, and the embarrassment of the planters. That it is not the desire of your petitioners to withdraw from those colonies that protection which they may claim as a part of the British empire, but your petitioners humbly submit, that such protection ought not to exceed that afforded to the agricultural and manufacturing interest of the mother country, which have no bounty on the exportation of their products, neither a monopoly of the home trade; nor should so serious an injury be inflicted on other rising and important branches of foreign commerce, for the supposed benefit of any particular, and much less important interests. That the West-India colonies have, besides a monopoly of the home market, the choice of all the European and North-American markets for the sale of their productions, as also, for the purchase of their supplies, taking from this country those articles only which best suit their convenience. That the whole population, including slaves, of the British West-India colonies does not greatly exceed a million of souls; that the exportation of British manufactures for the use and consumption of those colonies amounts only to the annual value of from one million and a half to two millions sterling, whilst our exports to Brazil, as already stated, exceed three millions, and to Manilla, Java, Sincapore, and the Indian Archipelago, and other countries, affording similar productions to Brazil, about two millions, with a population and field for the consumption of our manufactures of incalculable extent. That the whole amount of the products of these rich countries, admissible for the use and consumption of this kingdom, does not exceed the annual value of one million sterling; the residue, of about four millions, being thus forced, by the highly restrictive laws of this country, into foreign channels, and to the employment and encouragement of foreign shipping and manufacture. That the French government having experienced the impolicy of this restrictive system, also long enforced in that country, have now laid before the Chambers a project of law, abolishing all bounties on the exportation of colonial sugar; and, with a view to the encouragement of the French refineries, and to render France the emporium of Europe for that article; it also proposes to admit for their use the growth of all foreign countries without distinction. That, if the restrictive laws of this kingdom are longer preserved, this object of the French government will be greatly aided by British capital. That it is the confident belief of your petitioners, that if the productions of Brazil and the Indian Archipelago were admitted to the use and consumption of this country, on terms affording reasonable protection to similar productions of the British colonies, additional employment would be given to from fifty to one hundred thousand tons of British shipping, and this kingdom become the emporium of Europe for those productions, as British capital is now the means by which they are sent to Europe; and that it would, also, afford incalculable scope for the extension of the industry, manufactures, commerce, and revenue of the kingdom. Your petitioners, therefore, most humbly and earnestly pray, that your honourable House will take this their petition into your early and serious consideration, with the view of affording them that relief and protection, which, in your wisdom, your honourable House shall see fit, and thereby add strength to the resources, extension to the commercial, manufacturing, and shipping interests, as well as additional means of happiness and comfort to the people of this great empire.

He would only observe, that the petition was of great importance, but he must express his fear, that although the Government had no doubt given it their attention, they had not made up their minds upon it, as they had on some other subjects connected with the colonies. He would press the matter on their serious consideration; and conclude, by declaring, that the petition was signed by every person in Liverpool connected with the Brazilian trade.

Mr. *Ewart* said this was a subject of the deepest interest to his constituents. It was one which involved the consideration of an extension of our foreign trade, and the employment of British capital. It was so fully proved in the petition that the amount of our foreign trade would be greatly extended if proper protection were afforded it, that he would not dwell at any length upon that subject. He was sorry that the extent of the experiments which had been conducted under the auspices of the Government had not been such as to liberate so important a branch of our foreign trade from the fetters which had hitherto bound it. The French government were already taking measures that would have the effect of greatly extending the trade in refined sugars, and he trusted that this country would not be behind them, but that his Majesty's Ministers, whom he knew to be inclined to liberal measures, would speedily remedy the evils of which the petitioners complained.

Mr. *Strickland* had been requested to support the prayer of this petition, and he was anxious to say a few words upon it, as there were many persons who were ready to bring their capital into action, but who were restrained by the existing impolitic law. In his opinion, he could say nothing stronger than this—that while this country was sending out nearly three millions a-year, our ships were returning home empty, thereby giving a monopoly to the sugar growers of the colonies, without at the same time doing any benefit to this country. In his opinion, it would be easy to adopt some means by which Brazilian sugar might be imported into this country, to be refined for exportation; thereby giving employment to the capital and workmen of this country, without in the least trenching upon the rights which these monopolists at present enjoyed. He was not one of those who were always putting forward the system of free trade, but at the same time he would ask was the House to take freedom of commerce and the extension of the employment of capital as the rule in legislating, or was it to increase monopolies by restrictions?

Mr. *Poulett Thomson* was anxious to say only a very few words upon the petition just presented. He begged to assure his noble friend and the hon. member for Liverpool that the subject to which the petition referred had received for a long time a serious and anxious consideration on the part of the Government, and it was not because the Government did not fully concur in the view taken by the petitioners, or that they were not anxious to give that relief for which they prayed, that he was obliged now to say that it was not in the power of the Government to introduce any measure affording that relief. Hon. Gentlemen who were in the last Parliament, and were present during the discussion upon the Bill which terminated so unfortunately, knew and acknowledged the great anxiety of the Government to admit foreign sugars into this country for the purpose of refining. On the rejection of that measure inquiries had been made of individuals capable of giving information, and experiments had been tried, which, though not yet complete, had made such progress as to convince the Government that a considerable bounty, but not amounting to 8*s*., as stated in the Petition, was given on West-India sugar on its export. The whole of the ground on which the last measure was rejected was the assumption that there was no such bounty, and that therefore no advantage should be given to foreign sugars. He thought it would be utterly impossible for this country (whatever it might do for its own colonies)—it was not right, that it should be called upon, to give a bounty upon foreign sugars, in order that foreigners might be enabled to use refined sugars at the expense of those colonies. That was the difficulty which prevented the Government from introducing a measure similar to that which had been rejected by the last Parliament, and after a full consideration of the subject, unless the bounty on West-India sugar was removed, he was satisfied it would be impossible to afford relief, except, indeed, by admitting foreign sugars, and refining it in bond for exportation. That principle he should be happy to see in operation, but, unfortunately, refiners were of opinion that such a plan would afford them no relief, and that they would reap no advantage from it, unless they were allowed to mix the sugars, which could not possibly be done. He could assure his noble friend, that if any plan could be suggested whereby the refining of foreign sugars might be confined to this country without hurting the revenue it would receive the utmost attention of Government. With regard to the importance of the Brazilian trade, and in all that was set forth in the petition he entirely concurred. He, however, did think, that hon. Gentlemen when quoting cases of a country sending all her produce here, and taking nothing from England, ought to bear in mind the reverse case, and think of the Brazils, which took so much of the manufactures of this country, and from which nothing was taken in return; and that when hon. Gentlemen were arguing on reciprocity, they should not forget, that reciprocity meant an advantage to both sides, and that without it the Brazils might turn the tables upon this country.

Mr. *George Wood* had been requested to support the prayer of the petition, and he did so most cordially. He hoped, that as this question was very interesting to that part of the country which he represented, he should be allowed to say a few words. The subject was one of great importance to the whole empire, but particularly so to the county of Lancaster. He was sorry to hear from the right hon. Gentleman that there was no present intention of granting the relief prayed for. He trusted that the subject would continue to receive the best attention of his Majesty's Governnent, and that in a very short time they would be prepared with a measure such as would give satisfaction to all parties.

Mr. *Mark Philips* said, his excuse for rising on the present occasion was the vast importance of the subject to the great seat of the cotton manufactures whichhe represented, and of the extreme degree of hardship which arose from ships being deprived of return-cargoes from the Brazils. He thought at a time when, during the last year, the poor-rates had increased in every county in England with the exception of three, it was the duty of the legislature to support every measure tending to increase the means of employment of the industrious labouring classes. Reverting to the importance of this subject to the sugar-refiners of this country, he must say, that he thought the noble Lord opposite (Lord Sandon) had much understated the effect which the existing law had produced. In London last year, there were no less than 216 establishments for refining sugar, and now they were reduced to sixty-seven; and as to the number of vessels employed in the Brazil trade, no less than fifty-one sailed from the port of Liverpool last year to Rio de Janeiro, not one of which could get a return cargo home. He thought a strong case was made out in the petition, for which he claimed the serious consideration of the House.

An *Hon. Member* said, that it appeared to him that means should be given to facilitate the refining of foreign sugar in the country on fair and equitable terms, both for the sake of the shipping and commercial interests of the country. He did not say, that a bounty should be given; but he did say, that every unfair restriction should be removed. Means should be given of refining sugars in bond, and if that could not be done, some other course ought to be resorted to; otherwise the interchange between this and foreign countries would be put a stop to, and this country would be unable to preserve those advantages in trade it had hitherto possessed. He had the fullest confidence in the sentiments just uttered by the Vice-President of the Board of Trade, and he trusted that the right hon. Gentleman would feel this to be a subject admitting of no delay.

The *Solicitor General* trusted, that hon. Members would not consider it presumptuous on his part, if he reminded the House of the understanding that existed with reference to presenting Petitions.

He had attended there morning after morning to present petitions, which his constituents were anxious he should present, but he had not been able to present them in consequence of the discussions that took place on the presentation of almost every petition.

Mr. *James Oswald* supported the petition, and stated, that he had been intrusted with a petition numerously and respectably signed to the same effect. He hoped that the existing law would speedily be altered, as he thought the parties interested were justly entitled to greater advantages than they now possessed.

Mr. *Ewing* said, the subject was of the greatest importance to the Brazilian trade, and he hoped it would shortly be fully and fairly discussed.

Mr. *Andrew Johnstone* said, he would not have risen, but that nothing had been said on the subject of slavery. If any measure was brought in for the introduction of slave-cultivated sugar, it would meet with the strenuous opposition of many hon. Members.

Petition laid on the Table.

OBSERVANCE OF THE SABBATH.] Lord *Sandon* presented a Petition signed by 4,000 of the gentry, clergy, merchants, and other inhabitants of the Town of Liverpool, praying for a better observance of the Lord's Day, and expressing their satisfaction that the House had manifested an intention of taking the subject into early consideration. The petition was agreed to at a public Meeting.

Mr. *Cobbett* could not let that petition pass without expressing his opinion of the motives by which all the petitions respecting the Lord's day were got up. A petition was presented the day before yesterday, from Staines and two other parishes in the county of Middlesex, expressing the desire of the petitioners to have a law to protect them against the injury to which they were exposed in consequence of impious traders trading on the Sunday. It was very much like the reason given by Hudibras why the pious should have all the good things of this world—namely, that the godly were entitled to them, but the ungodly were not. The real truth was—and this was the foundation of all those petitions—the rich tradesman, living in country towns especially, went out in his gig on a Sunday, with his lady and children, to visit their friends—and he could tell them, that their friends, in many instances, as he knew, would be glad if a law were passed to make them stay at home. The rich tradesman could go out on a Sunday to see his children at boarding-school, and, therefore, he wished to prevent the poor tradesman from selling on a Sunday those articles which he, the rich one, would then be able to sell on the Monday. That was the foundation of all these petitions. In that from Staines the petitioners avowed their motive.

Lord *Sandon* rose to order. It was the understanding in the House last night, that there should be no debate on the presentation of petitions; and he thought that the hon. member for Oldham was very disorderly in imputing motives to the petitioners whose petition was presented on a former night, and was not then before the House.

The *Speaker* did not think the hon. member for Oldham was entirely out of order, and with respect to the length of speeches, much must depend on an hon. Member's sense of propriety. With respect to the reference to a petition presented on a former day, if it were on the same subject as the present petition, he could not say that applying motives to those petitioners was disorderly. In all those matters a great deal must be left to the good sense, the feeling, the taste, and the propriety of hon. Members themselves.

Mr. *Cobbett* said, he had sat patiently while one petition presented by the noble Lord had occupied three quarters of an hour, but he did not intend to occupy five minutes. With regard to imputing motives to petitioners, he imputed none but what were expressed in the petition itself. Those pious men complained of being injured in their trade, and of getting less money in consequence of going to worship, while the poor man was obliged to stay at home. That was avowed by the petitioners themselves, and indeed as much was avowed in the Report of the Committee were appointed last year. In matters of religion, of all things, men ought to be sincere; but those pious men having grown rich by their impiety when poor, now wished to compel the poor to attend to their religious duties, which certainly, above all matters, ought to be attended to. These were the men, who having by their impiety got plenty of money, sought to prevent the poor from following that course which they themselves had formerly followed. He protested against such interference, for he was convinced that much mischief would arise from making laws of that kind.

Petition to lie on the Table.

LIVERPOOL ELECTION.] Lord *Sandon* wished to present a petition upon a subject on which, as it was to come before the House this evening, he should not trouble the House at any length. It was signed by every member of the Committee who did him the honour to conduct his late election, and they complained of the gross mis-statements which had been made in a petition presented on a former evening, and upon other occasions—namely, that bribery and corruption had been practised at the late election at Liverpool. They stated that they had been active supporters of him (Lord Sandon), and they were anxious to show, that no one person had been induced to vote by bribery, treating, or any other than constitutional means. They courted inquiry on that subject. The petition afforded a complete proof that no bribery to any extent—that no bribery of which they were cognisant—had been practised to procure his return.

Mr. *Benett* had not, on any former occasion, made a charge against the gentlemen who had signed that petition. His charge was generally, that bribery had been practised at the elections at Liverpool, even up to the last election. He was anxious that a Committee should be appointed to inquire into the charges that had been made, when it would be seen by whom the system of bribery had been practised.

Mr. *Sheil* begged to ask the noble Lord whether he himself had never admitted the existence of corruption with reference to the petitioners?

Lord *Sandon* answered, that one or more of the petitioners admitted to him, that he or they had formerly been engaged in bribery. They acknowledged themselves as having formerly been sinners, but they denied that any corruption had been practised during the last election. He had never denied, that bribery had formerly been practised; his denial solely applied to the last election. He should like any hon. Gentleman to lay his hand upon his heart, and say whether, under such circumstances, evidence could be given to the allegations against the freemen of Liverpool. He would take that opportunity of presenting another petition, signed, in fifty-three hours, by above 7,400 persons, comprising most of the wealth and respectability of the place. When the petition from Liverpool, signed by 3,300 persons, which charged the freemen of that place with bribery and corruption, was presented by the hon. member for Wiltshire, the hon. Member took occasion to observe, that it comprised all the respectable and disinterested portion of the inhabitants. He (Lord Sandon) said, at that time, that if he were allowed a few days, he would show that he could produce a petition with nearly double that amount of names in opposition to it. This was the petition he then alluded to, and a moment's inspection would show the truth of what he had then alleged, that all the respectability was not on one side. He had yet to learn that any charge of extraordinary corruption could be alleged against the freemen of Liverpool. If the proposed measure of the hon. member for Wiltshire were carried into effect, the whole amount of disfranchisement would be but between 1,000 and 2,000. It had been the practice in that House for many years, to make allegations affecting a mode—the mode of obtaining signatures to petitions which were numerously signed. That occasional delinquencies would not occur from the intemperate zeal of some parties employed in witnessing the signatures to petitions, he was not prepared to say. He was instructed to say, that to the petition praying for the disfranchisement of the freemen of Liverpool, which had been presented by the hon. member for Wiltshire, some individuals had generally signed five or six names; and passengers landing out of steam-boats from the sister isle were invited to sign, and did sign, that petition, upon an assurance that their not being housekeepers was of no consequence. The petition he now presented to the House, he would take upon him to say, represented the true feeling of the inhabitants of Liverpool.

Mr. *Benett* would not impeach all the signatures attached to the petition. No doubt many of those who had signed it were desirous that their conduct should undergo investigation. He believed, however, that many of the signatures deserved little consideration, for he had received a letter from Liverpool, stating, that some persons had signed the petition upwards of twelve times—that several boys belonging to charity schools had signed the petition presented by the noble Lord, and had placed the occupations of their fathers against them. Petitions should be valued according to the weight that could be attached to their signatures.

Mr. *Gladstone* stated, that from a letter he had received, he believed the petition to be signed by many respectable individuals, and that it should have his support.

Colonel *Williams* said, it was impossible to know what to say upon the petition, unless it were read. If it contained an application for an inquiry, then he should have no more to say on the subject. This he knew, that it contained the names of many individuals who had been for thirty years and upwards known to be habitually guilty of corruption and bribery. The noble Lord who presented the petition had known Liverpool for twenty-eight months; he (Colonel Williams) had known it for thirty years, and he had been a good deal concerned there in election business; and he could assure the House, that for the last thirty years, there had been a greater system of bribery and corruption carried on in Liverpool than had ever disgraced any rotten borough. It was very proper that this system of corruption should be taken notice of before the general Committee now appointed to inquire into the state of Corporations; and when the Corporation of Liverpool came before the Committee, he was confident it would meet with full justice.

SUPPRESSION OF DISTURBANCES (IRELAND) PETITIONS.] Mr. *Morgan O'Connell* presented a Petition from Ballinrobe, in the county of Mayo, praying the House not to pass the Coercive Bill for Ireland. The petitioners cautioned the House against receiving too readily the statements of interested individuals, and against relying on the representations put forth by newspapers.

Mr. *Cobbett* said, that he had several petitions from Mayo to the same effect, in which the petitioners stated, that they were afraid a great part of the information on which his Majesty's Ministers had relied, had been given by a person who had been confined in Newgate in the same room which he himself formerly occupied. That individual had been, however, sent there for telling a falsehood, while he (Mr. Cobbett) had been imprisoned for telling the truth. He gave his cordial support to the prayer of the petition.

Colonel Davies presented a similar Petition from the Political Union of Worcester.

Mr. *Robinson* had been requested by the petitioners to support the prayer of this petition. He felt bound to say, that the petition came from a very inconsiderable number of his constituents, and as there had been no general meeting of the other part of his constituents, he could not say what their opinions were; but as he had voted for the first reading of this Bill early this morning, he hoped the House would allow him to explain, in a few words, what he had not had the opportunity of doing when he gave his vote. He had given his vote in favour of the first reading, because he thought his Majesty's Ministers required and deserved this mark of confidence, and out of respect to that branch of the Legislature from whence the Bill had been sent into that House; but he must, at the same time, say, that he did not think a sufficient case, after all that had been said, had been made out, to warrant the Government to call upon the Legislature to pass such a Bill as the present, inflicting such a wrong on the whole people of Ireland as this measure was calculated to inflict. He should, in the progress of the Bill— [Cries of order interrupted the hon. Member.]

The *Speaker* was quite confident that no Member of that House would be more ready to consider such statements as this out of order than the hon. Member who had now been addressing the House, if those statements had proceeded from any other hon. Member. However satisfactory it might be to the hon. Gentleman's constituents to give them an explanation of the vote he had given this morning, there were other modes of letting them know his reasons for the course he had adopted than explaining at that moment. Hon. Members were assembled on this occasion for the purpose of presenting petitions, and it would be very hard on any other Members of that House if they were not to be allowed to explain their motives after the hon. Gentleman sat down, if they wished to give explanations; and then, if they were to be allowed to do so, into what a state of confusion would the House get upon the subject upon which there had already been so many days' discussion, and which was likely to occupy so many more.

Mr. *Robinson* said, that he should always bow with great respect to the decision of the Chair, although he should certainly have thought that, being a representative of the constituency from which the petition proceeded, he might have been allowed to make a few observations upon the subject matter to which it related. What he meant to say, however, was merely, that although he had voted for the first reading of the Bill, he should, in its future course, be guided by circumstances, and certainly should not vote for its passing into a law, till it had undergone considerable modifications.

Petition laid upon the Table.

Mr. *Fryer* presented a similar Petition from Wolverhampton. He said, he perfectly agreed with the petitioners, that this was a most unconstitutional measure. He did not attribute it to barbarity on the part of the Ministers, but to an error of judgment. He might call it an Act for the Separation of Ireland from England; and if he gave it that name, if he so christened it, the people of Ireland would stand sponsors. He said this rather from what he feared than from what he wished. The Bill had been read a first time in that House—it would be read a second time in Ireland, when the French or some other foreign Power were in Ireland, and a third time when the British were expelled; and then it would be passed *nem. con.*

Mr. *Vigors* presented a Petition from the city of Carlow against the Irish Coercive Bill. The petitioners submitted, that his Majesty's Ministers could make out no case which would justify the House in arming them with powers so unconstitutional, and never hitherto resorted to, except when the country was in a state of rebellion.

Mr. *Blackney* supported the prayer of the petition with all his heart. He had the honour of representing the county of Carlow, and was in possession of some petitions from that county of a similar nature to the one now brought before the House; which he feared he should have no opportunity of presenting before the measures of Ministers were completed. Nothing during the debate on that important measure had given him so much pain as the speech of the noble member for Nottingham, the Lord Lieutenant of Carlow (Lord Duncannon). That noble Lord had stated, that he had not yet received from the police officer the report for the last month. He, however, would take leave to say, that at this time the county of Carlow was in a perfectly tranquil state. This he said, with the utmost confidence, and without fear of contradiction, for there was no Member of that House who could be so intimately acquainted with the state of Carlow as himself. He had, during the recess, made every inquiry throughout that county. He had been, and was still receiving daily communications from every part of that county, and he could not describe to the House how much he had been shocked by the representations made by the noble member for Nottingham, to whose statements every person knowing the worth of his public and private character would give great weight. He felt himself called upon to remark upon the statements of that noble Lord last evening; but, as he did not then see the noble Lord present, his courtesy towards the noble Lord, and his feelings as a gentleman, had prevented him doing so in the absence of the noble Lord. The hon. and learned member for Dublin had risen last evening before the noble member for Nottingham came in, and thus circumstanced, he could only have a private communication with the noble Lord, in which he learnt from him that this day the Report for the last month would be received. But from whom would it be received? From a police officer! He had the highest respect for the character of the noble Lord, but he was convinced that the noble Lord had been imposed upon. He should be able to prove to the House, that all the other Reports upon which the measures of Ministers were founded came also from police officers. He could take upon him to say, that the number of outrages mentioned by the noble Lord could not possibly have taken place in the county of Carlow without his cognizance; and this he said, as a Magistrate, who gave more attention to what was going on in that county than any other Magistrate. It was with these feelings that he took the liberty to address the House at more length than perhaps he ought to have done. He should only further say, that he had five or six petitions to present to the House from every part of the county which he had the honour to represent, against this measure. There were few in that House who knew Ireland better than he did, and he would venture to affirm, that among the whole thirty-two counties of Ireland there was not a more peaceable one than the county of Carlow. In looking over the list of outrages that had been instanced by the right hon. Secretary for Ireland, he found that that list had been made up to the end of January, and it had been most grossly exaggerated. He knew the county well, and could positively state, that in the month of January there had not been a single outrage, with the exception of one that was of a very trivial nature. If he had an opportunity, before this question was settled, he should show, that Ireland was not at all in the state in which it had been represented. He should show, that the contents of the "Red Box" were most gross exaggerations. It was too much for the patience of an Irishman to believe, that that House would legislate upon such flimsy materials. His election, and that of his hon. colleague, was conducted without a single outrage. There was not one even in the election town. Indeed, there was no outrage either before or after the election, nor had there been a single case of murder in the county which he represented for several years. If there had been any outrage at all, it was committed by the Whitefeet of King's County, Queen's County, and Kilkenny, who had been permitted to creep into the county without at all being checked by the authorities. If the proper authorities had exercised the powers with which they were invested, Whitefootism would have been suppressed the instant it appeared.

Petition laid on the Table.

TITHES (IRELAND)—PLURALITIES.] Mr. *Vigors* presented a Petition praying for the total and complete abolition of Tithes, from Kiblerin. The petitioners stated, that one guinea per acre was frequently paid as the tithe of potato-ground. They added, that the disappointment the public had experienced in not having, according to the declaration of the right hon. Secretary for Ireland, an extinction of tithes, had contributed much to the increase of discontent—a discontent aggravated by a subsequent enactment, the object of which was to render tithes perpetual. The petitioners looked upon the last Tithe-act as an awful experiment, uniting the power of the Crown and the clergy, the exercise of which had contributed to widen the breach between the Protestant Establishment and the occupying tenant of the soil. It was impossible that the tithe-system should continue much longer in any shape, consistently with the peace and good order of the country. The hon. Member begged to bear testimony to the respectability of the petitioners, and cordially supported the prayer of the petition.

Mr. *Blackney* supported the prayer of the petition. He felt very much interested in this question, believing as he did in his soul, that no measure to be brought in by his Majesty's Ministers would ever pacify the people of Ireland, until there was an entire abolition of tithes.

Mr. *Cobbett*, in expressing his hearty concurrence with the prayer of this Petition, which he did in consonance with all the opinions he had entertained and expressed for the last twenty years, said, he should now notice, with the leave of the House, the calling to account he had experienced the other day from the member for the University of Oxford. That hon. Member had called him to account, in a tone and manner which perhaps was not unbecoming in him, but which would have been unbecoming in any body but in the representative of the body of the Clergy of England. The hon. Member had contradicted him in fact, and cautioned him as to how he stated facts in future, a sort of caution that was not a very insignificant way of accusing a man of stating falsehoods. He had stated that of 10,000 and odd livings in the Church of England and Wales, there were only 4,000 and odd resident incumbencies. He held in his hand the Diocesan Returns on the subject which had been laid before Parliament, the nature of which he should state; and even if he had been in error, there might have been some apology for him, because he was not in Parliament when the Return was made, but certainly none could be allowed for the hon. Member, who himself was a Member of Parliament at the very time the Returns were laid before the House. From that Return it appeared, that in 1827, there were 10,533 benefices and only 4,413 resident incumbents. In 1828 he had no returns, but in 1829 the

Returns showed (and these were the last that had been made), that there were then 10,528 benefices, and but 4,516 resident incumbents. These were the general Returns. He should now mention some particular cases. In the diocese of Winchester, which was amply endowed, there were stated to be 3,389 benefices, and only 177 resident incumbents. In the diocese of Lincoln there were 1,273 benefices, and 503 resident incumbents; in that of Norwich, there were 1,076 benefices, and 360 resident incumbents. He had observed also, that there were in England and Wales more than 200 parishes in which there were no churches, nor a solitary place where worship could be celebrated, and where consequently the inhabitants could not observe the Lord's day though the prayers of all the Petitions presented to the House should be acceded to. By the present return, it appeared that there were 254 parishes so situated, in which by no possibility could there be any service, but where the incumbents took very good care to enforce the payment of their tithes regularly to the last farthing. He had observed, also, that there were 1,500 parishes in which they had neglected to uphold the parsonage houses, notwithstanding the very strict enactments of the law in that respect. By the present Return he found that there were no less than 1,753 parishes without parsonage houses, or 1,753 parishes where the clergymen boldly set the law at defiance, and where they not only did not reside themselves, but did not keep up the places for others to live. The statements, therefore, which he had made, and which had been contradicted by the hon. member for Oxford, were perfectly correct, and it now remained for that hon. Member to contradict him if he could.

Mr. *Estcourt* was not aware of the Return to which the hon. Member had referred. He was not aware that there had been any returns since 1816. He, however, must say, that he thought the hon. Member had hardly stated the thing fairly. According to the hon. Member there were in 1827 only 4,413 residents out of 10,500 benefices. He suspected that these 4,413 were the incumbents, resident in parsonage houses only; but he thought it would be found that the number of Clergymen residing in parishes, though not in parsonage houses, would greatly exceed that number. He found by the Returns of 1816, that there were then 10,300 benefices, and 3,798 incumbents constantly residing in their parsonage houses. To these must be added 1,990, who were resident in their parishes, though not in parsonage houses; and that was the case not only in that year, but in the four years preceding the time of that Return. Besides these, again, there were 1,900 curates, who were constantly residing in the places where they held their cures. All these taken together made a number of 7,688, either living in their parsonage houses, or in houses in their parishes. Besides this, there were 227 livings vacant during that year, and that number must also be added to the 7,688; for the clergyman who died in the course of the year, would not, of course, be put down amongst those constantly resident, nor would his successor, who probably was not appointed at the moment the Returns were made up. And yet it might be perfectly true that the parish had always had the benefit of a constantly resident clergyman. This gave a return of about 8,000 clergymen constantly doing duty, and residing in their parishes; but there were many, who, from their good behaviour, had other appointments, such as preferment to stalls, besides their livings, who often did duty at their benefices, but who being necessarily sometimes absent, constantly kept their curates to perform their labours in their absence. In fact, therefore, they conferred on their parishes a double advantage, from the constant residence of their curates, and the frequent residence of themselves; and yet they would not be put down on the Return as persons constantly residing on their benefices. He thought he had said enough to show that the observations of the hon. member for Oldham were not quite so well founded as the hon. Member imagined them to be.

Mr. *Goulburn* deprecated the attack which had been so unjustly made on the clergy upon the presentation of the present petition; and said, that if such attacks were to be made, he must be heard in answer to them, notwithstanding the understanding not to debate petitions.

The *Speaker* said, he was sure the House would concur with him, that complaints had been frequently made by every hon. Member of the House, that they made no progress in presenting petitions by the present arrangement, because there was so much discussion; and nine-tenths of those

Gentlemen who made the complaint, he found to be more frequently than any others guilty of a deviation from the rule that had been laid down. If, as some Gentlemen said, the House sat from sunrise to sunset, the whole of that time would be occupied with petitions if they proceeded as they did at present.

Mr. *Littleton* said the very gross irregularity arose with the hon. member for Oldham—he who had last night proposed that the petitions should be read, but no observations whatever made on them.

Mr. *Henry Grattan*, to show the bad working of the present system, stated that, in the book which he then held in his hand, there were 415 names down, while the Speaker had only got to the eightieth.

Petition laid on the Table.

KEEPING PLACES.] Mr. *C. W. Wynn* complained that yesterday after the Speaker had taken the Chair, and, according to the usage of the House, had sent the Serjeant-at-Arms to summon those Members who were serving upon Committees, two-thirds of the Members who were at that time in their seats immediately went out, thereby showing that they attended for the mere purpose of taking their places. To correct that he would move "That upon Election Committee-days no Member should be allowed to take any place for himself, unless he shall have attended the service of the House."

Mr. *Wolryche Whitmore* was glad that this question had been brought before the House. If the old practice were followed, the Members who lived at a distance would be left without a seat in the House; the seats would be wholly filled by those Members who lived near, and who therefore, could make it convenient to attend early and secure them. He might safely say, for himself, that he had not had a seat in that House the whole of the Session; he had sat for a few minutes in some other Member's seat, from which he was very soon turned off. It was very evident that there was not sufficient room in that House to carry on the public business of the country. He hoped that, among other reforms, they would make such arrangements as would enable all the Members to do their duty to the constituency who had sent them there.

Mr. *C. W. Wynn* said, that as he did not wish that the question should lead to a discussion, he would propose that it should be left to a Committee to consider the privileges of the House as regarded seat-taking.

Mr. *Warburton* said, he was very glad to hear the cheering with which hon. Members received the allusion made by the hon. Gentleman to the better arrangement and accommodation in that House. He begged to remind them, that to-morrow they would have an opportunity of evincing their sentiments on the subject, for his hon. friend the member for Middlesex, had a motion on the books, respecting a new House, which he meant to bring forward.

Mr. *Baring* said, as the practice of taking seats in that House had fallen into great abuse, he should take this opportunity of moving, that it be altogether discontinued. This practice converted the attendance at prayers into a piece of hypocritical formality. He would take the sense of the House on the propriety of discontinuing entirely the practice of taking seats.

Mr. *Hume* complained of the present practice. Sometimes the whole of the seats were occupied at so early an hour, that even those Members who had important motions to come on could not find a seat.

Mr. *O'Connell* said, that matters were bad enough already, but the Amendment proposed by the hon. member for Essex would make them worse.

Lord *Althorp* also disapproved of the Amendment.

Sir *Robert Inglis* said, he would take that opportunity of calling the attention of the House to a subject connected with the practice of taking places. There had recently been a departure from the old practice of the House, by which the first opposition bench was reserved for such Members as had formerly filled high offices in the State. He had recently observed his right hon. friend the member for Tamworth, who had formerly been a leader of that House, unable to find a seat on that bench. Now, although his right hon. friend had on one question given his support to the Government, he apprehended that he was not therefore to be altogether deprived of the character of being in opposition. He did not wish to allude to particular individuals, but he would put it to young Members whether it was fair that they should, by occupying the bench in question, drive from it Members who had for many years taken an active part in the business of that House?

Mr. *Cobbett* said it was impossible he could fail to perceive to whom the hon. Baronet applied his observations. It was clear that the hon. Baronet deemed him an intruder; that he had got into a situation where he had no right to be; but he could assure the hon. Baronet, that whenever he was attending in the House, and the front bench on either side was not entirely occupied, he would have a seat on one or other of them. He was at a loss to know what superior pretensions the right hon. Baronet alluded to possessed compared to him. To be sure he had done much mischief.

The *Speaker* said, he hoped that whatever seat the hon. Gentleman might choose to occupy in that House, he would at least conform to the rules and orders of the House, and not presume to state opinions with respect to any individual in either his public or private character, such as he was not warranted in stating.

Mr. *Cobbett* said, he understood the hon. member for Oxford to have pointed out the right hon. member for Tamworth as an individual who was entitled to a preference with respect to the occupation of a seat on that side of the House. He was going to observe, when he was interrupted, that he knew of nothing pre-eminently worthy in the right hon. Baronet, which would justify the pretensions put forward as to his right to a particular seat. He was not inclined to cede that right to him; and, if he were present he would give him his reasons fully and plainly for thinking that he of all men in the House, ought not to enjoy pre-eminence on that or on any side of the House. Now, with respect to the inconvenience of which hon. Members had complained, it all arose from the Government being so saving and parsimonious—so sparing of the people's money. They begrudged the expense of providing a suitable building for the Representatives of the people; the House must therefore put up with the inconvenience, only praying to God to alter the hearts of the Ministers, and make them a little more squandering.

Mr. Baring withdrew his Amendment and Mr. Wynn's Motion was agreed to.

LIVERPOOL ELECTIONS.] Mr. *Benett*, in rising to bring under the notice of the House the corrupt state of the borough of Liverpool, said, that it was not his intention to detain the House long, but he felt it necessary to go into a short detail, in order to justify the Motion with which he intended to conclude. The subject branched out into two divisions; first, the corruption and bribery which prevailed during the Corporation elections, as well as during the elections for Members of Parliament. It was well known, that for many years past the elections for the mayoralty had been marked by the grossest corruption. On various occasions vast sums of money had been expended in the contest. In one year the election cost 10,000*l.*, and so late as the year 1827 it was said to have cost no less a sum than 15,000*l.*; and, should his Motion for a Committee of Inquiry be granted, he should be able to prove, that corruption had been practised during the election of the Mayors, down to a very late period indeed. The prevalence of bribery in the Corporation elections led to the introduction of the same system in elections for Members to sit in that House, and these corrupt practices could be traced back to a very early date. But, not to go further back than the election in 1830, he would just state to the House what was the condition of the borough of Liverpool at that period. During that election scarcely a freeman went uncontaminated to the poll. Money was lavished in all quarters, the bribe varied from 5*l.* to 100*l.* a-man; and he had a proof in his possession, that even a Magistrate had allowed himself to be corrupted. He did not impute these acts of bribery to the hon. Member who was returned at that election, but who was afterwards on petition unseated. They were committed by some indiscreet friends of his; but they were not, on that account, the less illegal. He had seen the election-books containing the names of certain electors, with a sum of money placed against each; and he would undertake to prove, that upwards of 3,000 freemen had been bribed at the time of that election, and that in some instances where the parties had received money from both sides the bribe had been returned. That election was supposed to have cost 80,000*l.* The extent of the bribery was very material, because, if it was proved to the extent stated, it could not be said, that they were punishing the majority, who were innocent, because a few persons were guilty. He had been told by the noble Lord, the member for Liverpool (Lord Sandon), that there had been no bribery since the election of 1830. He had no doubt, that the noble Lord believed what he had stated; and that, if bribery had been practised, it was unknown to him. He was convinced, however, that the noble Lord was mistaken. An eminent Counsel, of unquestionable veracity, and skill in his profession, had been consulted on the petition which it was intended to follow up against the noble Lord's last return, and the learned Gentleman assured him that it was his conviction, that if the petitioners had persisted, the sitting Members would have been unseated. Doubtless the noble Lord had not sanctioned the proceedings on which the petition was founded, but he had agents and friends who might have done many things without his concurrence. How else could the noble Lord account for the extraordinary turn the election had taken. On the first day, Mr. Thornley, the noble Lord's opponent, was a-head of the poll, but the freemen came up in great bodies on the second day, and turned the scale in his favour. On the first day, 2,508 of the votes were given for Mr. Thornley, and 521 of the old votes; while, for the noble Lord there polled 994 of the old electors, and 1,522 of the new. On the second day no less than 1,116 of the old voters polled for the noble Lord, and only 369 for Mr. Thornley; what was it which made the old electors go in such a body to the poll on the second day, and vote for the noble Lord? He had been credibly informed, that when the bribery-oath was offered to the old freemen, they had invariably refused to take it. [Lord *Sandon* assured the hon. Member that he was misinformed.] He was not present, and therefore could only speak from what he was told; but, if the fact was not as he had stated, he was misinformed. There had been two species of bribery practised in Liverpool. The electors were bribed with money, and also with money's worth. For many years the patronage of the town was in the hands of the Member who supported the Government, and that patronage was distributed by his Committee for the purpose of securing his election. The Canning Club, which existed for many years, consisted of thirteen members, merchants of Liverpool, in whom all the patronage was vested; and it was well known that whilst that system prevailed situations were sold, and the proceeds employed in returning the Member. In his opinion, that was a system of bribery more dishonest than if a Member bribed with money taken out of his own pocket. The history of the elections for the borough for years past had affixed a stain on the character of its elections which could never be wiped off until a Committee was appointed, and measures taken for securing the purity of the borough for the future. As to the petition against the noble Lord's return, he was bound to state, that it was not given up, as the noble Lord conceived, because the petitioners apprehended that it would have been declared frivolous and vexatious. It had been given up under his advice, because he considered it more creditable to the petitioners to take up the question on general principles, and to endeavour to preserve the elections of the town from the disgrace of bribery and corruption hereafter by the application of some effectual remedy. What he wanted was, to take away those who were the tools of greater rogues. He did not mean to apply that term offensively, but he did think that those who bribed were quite as bad, or rather worse, than those who received bribes. The House would hear, he doubted not, of the injustice of depriving the freemen of what were called their rights. He denied, however, that the elective franchise was a right—it was a public trust, and the Legislature had a perfect right to take it from those who exercised it disadvantageously for the country. That was the principle on which the Legislature had proceeded in passing the Reform Bill; and he, for one, very much regretted that what were called the rights of freemen in corporate towns and boroughs, had not been all abrogated, as was as at first intended by that Bill, he was no advocate for universal suffrage but he would rather have it than have a body of men in every town, always ready to sell their votes, and turn the scale at an election. He thought a sufficient case had been made out for the interposition of the House, and that a stain was thrown on the purity of election at Liverpool which would not be wiped out until a Committee had fully investigated the subject. The hon. Member concluded by moving "for the appointment of a select Committee to inquire into matters complained of in the petition of the inhabitants of Liverpool, presented 21st of February, and to report the result of their inquiries to the House."

Lord *Sandon* thought the hon. member

for Wiltshire might have confined his allegations to the late election, instead of going back for twenty years, and referring to cases of alleged corruption, brought forward, he believed, for the purposes of aggravation, and merely to bolster up a bad case. The petition itself bore him out when he said, that the hon. Member should have confined himself to the late election for the petitioners plainly intimated that if the late election had turned out according to their wishes, they would have been satisfied. He had not been long connected, as a Member, with the town of Liverpool, and he did not stand there to defend the corruption which might have been practised at former elections for that town. For any thing he knew the statements of the hon. Member might be well or ill founded. The House had decided as to the bribery and corruption at the election of 1830, with which he had nothing to do, and which he did not stand there to advocate. There had been two elections since, the purity of which had never been impeached —[Mr. *Rigby Wason* said, that he had impeached their purity]. At all events, they were never legally impeached, and the last election was not impeached in the only manner in which elections were ever impeached in that House. As to the charges of corruption, founded upon the extent of subscriptions for the return of candidates, he contended that they were entirely unfounded. Many men who were warm in a political cause subscribed largely to support the return of a person whom they considered the advocate of that cause, without hoping for any patronage or profit from him. He held in his hand a list of subscriptions entered into for the election of Messrs. Brougham and Creevey in Liverpool, and he found that some of them were to so large an amount as 500*l.* and even 800*l.* Yet those candidates, at the time he referred to, were not in possession of any Government patronage. For his own part, he had represented Liverpool for two years, and he stated it in the presence of Ministers, that he had never asked from them a single favour. This fact was well known to his constituents, and yet, he was happy to say, it had not made them less ardent in supporting him. The expense of the first election in which he was concerned at Liverpool had been 1,800*l*, and of the second between 1,400*l* and 1,500*l* ; and he should like to know how many Members, returned by so numerous a constituency as that of Liverpool, had come off so cheaply? And he should also further be glad to know how it was possible for him to have bribed the voters, to any extent, with so small a sum? Was it fair, therefore, to call upon that House to pass a sentence of disfranchisement upon any portion of the Liverpool freemen upon the facts alleged? Upon whom, also, would that punishment fall? It would not fall upon the rich classes, who if any were guilty, were the most so, but it would take effect only upon the poor classes. The whole number accused by the hon. Member as having been guilty of bribery and corruption was 3,600; but of this the number to be disfranchised was 1,448. Now, of this 1,448, it could not be distinguished where the real guilt lay; for it was composed of persons of various classes; some were merchants' sons, and persons in independent circumstances; others were clerks and book-keepers, living in houses which entitled them to vote, and these ought to be separated from the 1,448. In fact, if the whole of the number, 3,600 were to be examined into, it would be found that a very small portion came under the just accusation of the hon. Member. But the hon. member for Wiltshire argued that, because most of the freemen voted one way, he had made out a strong case in favour of their disfranchisement. He must, however, remark, that the intention of the Reform Bill, in preserving the existing rights of the Liverpool burgesses, did not mean to debar the newly enfranchised voters from exercising their rights in whatever way they might deem it proper, nor to debar them from voting all one way. Neither was it contemplated that the old burgesses should be entitled to preserve their votes only so long as they sided with the householders. He must confess, that he saw great difficulty in drawing any line of distinction between the rights of the burgesses and those of the newly-enfranchised householders, for he believed that none existed. And with regard to the prayer of the petition which the hon. Member had presented, let him remind the House of the circumstances under which the Grenville Act, regulating the proceedings in all election petitions, had been passed. The preamble of that Act states, that the mode then pursued of deciding the merits of election petitions was found to obstruct the despatch of public business, and to be attended with great expense; that the decisions often come to were at variance with the merits of the cases; that they were not guided by strict rules of justice; and that in order to provide a remedy for these inconveniences, the provisions named in that Act had been suggested. What was the protection which the House by that Act threw over the seat of a Member of that assembly? In the first place the chief object was to provide an impartial tribunal to decide on the merits of the petition, which being obtained by ballot, was further purified by the rejection of all the names of persons who were in any way connected with, or concerned in, the matter to be tried. The next precaution adopted was, to swear the Committee to an impartial judgment on the case; and the third provision was, to give them the power of examining witnesses. Now, which of all the protective powers thus created would the hon. Member wish to throw around the tribunal which he proposed to establish? The tribunal would not be ballotted for; neither would they be sworn, nor would they have the power to put witnesses on their oaths; therefore, but one of those powers by which the House had chosen to protect the seat of Members would be at the disposal of the hon. Member's Committee. If, however, the House had no objection to grant the prayer of the petition, he had none; he would willingly listen to the evidence of witnesses at the Bar of that House; but let him ask, if once they threw their doors open for the consideration of charges of bribery and corruption, whether it was not likely that they would soon find they had nothing else to do? If all the cases of corruption which had occurred in Liverpool within the last twenty or thirty years, and he admitted that many very strong ones might be brought forward, were to be inquired into, where was the line to be drawn? Let him ask, was it possible to unite all the requisites in the general tribunal of that House which were already possessed by the present election Committees; and if not, what more insufficient or vicious mode of inquiry could be adopted, to examine into particular instances of bribery, than one which should also be adapted to a general inquiry as to all the cases of bribery and corruption that could be proved for a space of twenty or thirty years? If the prayer of the petition were to be granted, the House would soon have their Bar crowded with similar petitioners' who would demand inquiries into other cases of long past corruption—[*Cheers by Mr. O'Connell.*] He understood the hon. and learned Member's cheer. He understood him to mean that there should be no Statute of Limitation which should prevent them from going into the consideration of alleged instances of corruption, however long past the time at which they occurred might be—[Mr. *O'Connell:* "No, none."] Then let him ask the hon. Member, what time they would have for the consideration and despatch of the public business, if they were to be occupied by inquiries at the Bar into all the cases of bribery and corruption which might be alleged during a space of time extending over more than thirty years? But to return to the prayer of the petition—the House had been called upon to listen to a detail of all those general charges of corruption against the borough of Liverpool, for the purpose, it seemed, of swelling the amount of her guilt, and of prejudicing the minds of her judges before they went into Committeee upon the petition. In the course of the observations made by the hon. member for Wiltshire, he understood him to say that the name of the Mayor of Liverpool was appended to the petition which he had presented. [Mr. *Benett* had made no such assertion.] He certainly thought that the hon. Member had said so; but the hon. Member had, however, asserted that the brother of the Mayor of Liverpool was the Chairman of his election committee, which was so far from being the fact, that the Gentleman to whom he alluded was not even on the committee. Now he hoped the hon. Member, having been altogether wrong in this assertion, would not be so confident in future in the truth of his allegations. The hon. member for Wiltshire also asserted that a great portion of the old freemen who voted for him had refused to take the bribery oath on going to the poll. This also was an unfounded assertion, for, in the first place, let him ask the hon. Member how the poll could go on if the voters refused to comply with the law of election? He could, however, tell the hon. Member what the facts were. The bribery oath was only proposed by the opposite party with a view to gain time, and to prevent a sufficient number of his voters from being polled to gain upon the other party's numbers. The object, however, was defeated, for his voters not only came up, but they took the bribery oath and he gained the day. The only instance which he knew of a refusal to take the bribery oath was shown on the other side; a voter of which party refused to take it amidst the acclamations of all around him. He could also explain, for the satisfaction of the hon. Member, the cause why his majority on the first day had been composed chiefly of voters of the smaller class. Several of the old electors said to him, on being urged to go to the poll, that they would not vote with the small folk, but would come and vote for him on the second day. He had now to make some observations upon the report of a speech made by his hon. colleague a few days back, in presenting a petition, which had appeared in the public Journals, and which, he had been assured, by his hon. colleague, did not contain a true account of what he had said. He had been assured by his colleague, that he (Mr. Ewart) had not gone beyond the mere prayer of the petition in the observations which he had made in presenting it, and he felt himself bound, in justice to those concerned, to hasten to undo the erroneous impressions which the unfounded statements in the public papers had created. The petition, it was first, untruly, stated in the report to be presented on the part of certain persons against the Corporation of Liverpool; now, it was, in fact, a petition against the constitution of the dock companies there, and complaining against certain acts of which that company had been guilty. The next mistake was, that the annual income of the dock companies, amounting to 300,000*l.* was misappropriated. Now, it was impossible that any misappropriation of the funds of the dock companies could take place, for they were strictly appropriated to certain payments under a direct Act of Parliament. The next allegation was, that the Corporation had sold lands, at an unfair valuation, to certain parties. Now, the fact was, that in every case where the Corporation had sold the borough lands, they did so under the sanction of a Jury; and he thought it but fair to the Corporation to vindicate them from the charges which had thus been unfoundedly brought against them by the mistake of the public Press, for it was highly important to keep the minds of Members and of the public from entertaining an unfounded prejudice against them. He thought that it was but just, too, that such an imputation should not rest upon the minds of the judges who were to try the merits of their case. He could say, for his own part, that as far as he had an opportunity of knowing, and from the opinion of those who, from their knowledge, were best qualified to judge of the matter, that the Corporation of Liverpool had administered these funds in the most useful and proper manner. With respect to the petition before the House, he must say it would have been more agreeable to his feelings if the prayer were granted, and the inquiry gone into at once. But he did not think, that it would be a course strictly consonant with justice to other parties, and he, therefore, should not be fulfilling his duty, as a Member of Parliament, towards his constituents, if he were not to oppose it. One of the first things the Committee would have to do would be to inquire into the circumstances of the last election; but he entreated Gentlemen not to go into the inquiry with minds prejudiced by the belief of allegations so general as those brought against the Corporation by the hon. member for Liverpool. With these views he must declare it to be his intention to oppose the proposition for a General Committee of Inquiry, as supported by the hon. Member, entreating him to bear in mind that, notwithstanding his lawyer might have told him that he had a very good case upon which to found his demand, it was not possible for the lawyer to whom he referred to have known all the circumstances upon which he had pronounced so strong an opinion, and that, consequently, his opinion was not worth much. There was not enough adduced by the hon. member for Wiltshire to induce the House to consent to the Committee proposed. He wished that the Gentlemen who urged forward this inquiry had been of the same opinion as Mr. Sheppard, one of the most distinguished Members of their party. That individual had expressed himself to the following effect at a public meeting held a few weeks before. 'He must confess that he could 'not come into court with clean hands 'to accuse the borough of Liverpool. No 'one, he trusted, would suspect him of 'having ever received a bribe; but he 'must confess his purse was lighter from 'his interference in election matters; he 'had subscribed money, and he had some 'suspicion that his money had been em-

'ployed in bribing others. Having done 'this, how could he put on a hypocritical 'face, and come forward to accuse his 'brother freemen? Having done this at 'the time of Mr. Roscoe' election—having 'done this at the time when it was attempted to return Mr. Brougham, and Lord 'Molyneux, how could he turn round upon 'the freemen of Liverpool, and say: "I 'will disfranchise your for receiving 'bribes?" He scorned to do so; instead of 'doing so he would himself assume the 'humble station of a penitent along with 'them'. He agreed with these sentiments and he could only in conclusion again express is wish that the party of which the reverend gentleman was a leader had all entertained the same sentiments. He saw no good ground laid for the Motion and therefore he should oppose it.

Mr. *Robinson* thought these subjects ought rather to come before the Committee on Corporations, than before the House; supposing, however, the House were to grant the Committee, now petitioned for, what would be the necessary effect of investigating the allegations before a Select Committee, where neither the examiners nor the examined would be upon oath? He would take upon himself to say, that the Committee would be so entirely confused by the complicated and contradictory statements which would be thus made before them, that they would be utterly unable to fulfil their judicial duties. Or, suppose even that this Select Committee did come to a judgment, and it were in favour of the petitioners, would this House consent to disfranchise such a body of freemen on mere statements not given on oath? Would they not insist upon having the whole case thoroughly sifted and reinvestigated before them? Would they not summon the petitioners, witnesses, and counsel, to the bar of the House? If they did so, the expense and delay which would be the result would be dreadful; and he need only refer to the trouble and expense which had attended the investigation of the East Retford case. He need only refer to this, to show the House at one view what they would bring upon themselves by agreeing to this motion. He did not mean for a moment to deny, that bribery of the most flagrant description had been long practised at Liverpool; but whatever corruptions had existed at Liverpool, or anywhere else, the Reform Bill would be of little use, if it did not prevent the repetition of all such for the future. As to Liverpool, indeed, hon. Members need be under no apprehensions of bribery being ever known there again, for there no longer existed any possibility of bribery there. One great branch of bribery and corruption—the grants of appointments—had been altogether knocked on the head. The noble Lord stated, and he had no doubt correctly, that during the time of his having been a Member for that borough, he had not had a single place to give away to his constituents. He denied, that any case had been made out for granting the prayer of the petition for permitting an investigation which would cost the country an enormous sum—not much under 8,000*l.* or 10,000*l.* and would occasion very great delay in public business. He implored the Government, by their sense of duty, to recollect the immensity of business they had to transact this Session—to recollect what time they would require for the discussion of the important question last night before the House. He implored them not to delay such all-important matters, for the investigation of local and partial statements.

Mr. *Rigby Wason* was in favour of the pointment of the Committee. It seemed to him that the opposition to it was an opposition to justice—was a shield to corruption. An hon. Member had called it a mere election petition; but it was no such thing. It did not at all refer to the hon. Member now sitting for Liverpool; but the principal allegation (which that hon. Member, and the hon. Member for Worcester had entirely passed over) set forth, that gross bribery and corruption had for a long time existed in the elections of the Chief Magistrate, and the Members of Parliament; that, indeed, this vile—this degrading system had so long existed, that the minds of the inhabitants had almost arrived at the idea that there was nothing particularly objectionable in that which had become as it were an established custom. This was what the petition was directed against — not against the noble Lord, the member for the borough; there was not the slightest intention of unseating him. The whole aim of the petitioners was against the atrocious system. A presentment was made by the Grand Jury of Liverpool, not long ago, against the bribery and corruption practised at the election of the Mayor. The Magistracy directed their power against two poor men who had foolishly allowed themselves to be bribed into going up to vote twice. These two ignorant men were disfranchised for this offence. Here were these poor men punished for an offence by the very Magistrates by whom they had been corrupted into the commission of that offence. The various circumstances of the several elections at Liverpool, since 1830, which were of great and public notoriety fully proved the grossest bribery and corruption in that borough. Thus, after the election of 1831, when the present Member for Nottinghamshire, who had been selected as Representative both by that county and by Liverpool—when that hon. Member made his choice for the former representation, there was a vacancy for Liverpool, and the House of Commons decidedly refused to issue a new writ, on the ground of gross corruption having been proved to have taken place at the previous election. Indeed the noble Lord, he must say, was now in that House purely by the influence of bribery and corruption. The hon. member for Worcester had said these investigations would occupy an immense portion of time, and that a subsequent inquiry would even then be necessary. But he did not think either of these fears well founded. On the contrary, he thought the labours of the Committee would not be of an extended nature.

Mr. *O'Connell* thought the House could not avoid entering into this inquiry. If the allegations made by the petitioners were true, it was essential that justice should be done to the delinquents. If unfounded, it was due to the character of the inhabitants of Liverpool to have the aspersions cleared up. It was clear, however, on the face of it, from the incontrovertible facts stated on oath before the Committee of 1830, and contained in their Report, and from other evidence adduced, that the most unblushing bribery was carried on at Liverpool, from the lowest inhabitant to the highest Magistrate. The facts stated in the Report, too, had been fully borne out by the noble Lord, who had quoted a speech of the Rev. W. Sheppard, confessing that he believed that the money he had subscribed had been employed in bribery, to support his political opinions. It was notorious that the name of freemen of Liverpool was synonymous with bribery and corruption. Liverpool was not only a mass of corruption as a whole. but there were cycles of corruption. An hon. Member had said; "Let the corrupters be punished." So he would say too, but let the corrupted be punished as well. Let all those who were base enough to have the taint of corruption in their souls, share a merited punishment. An hon. Member said, that these matters should be brought before the Corporation Committee; that Committee would have quite enough to do with Liverpool, independent of this matter, which related solely to the elective franchise. He regretted to hear the speech of the noble Lord. He could not think of it but as throwing a shield over corruption—as protecting the offence, and encouraging the offenders. There was no imputation against the noble Lord: his purity was perfectly established. The purity of the electors it was which was not established. This was a case which emphatically called for the interference of the House; and the Magistrates and inhabitants of Liverpool, if they were innocent, would be the first to cry out for the clearance of their characters from the aspersions now cast upon it. He should support the petition.

Lord *William Lennox* regretted extremely that the hon. member for the county of Wilts should have felt it to be his duty to have again brought forward this question. He thought the valuable time of the House could be better employed than by raking up the grievances of 1830. He thought the funds of the country could be better disposed of than by paying the expenses which would necessarily occur in this investigation. During the last three elections no imputation of corruption had been made. The expenses of both the sitting Members during the last election were most moderate; they were open to the inspection of hon. Members, and, of course, had there been the slightest justification of a charge of bribery, the same spirit that had prompted this step would have not been wanting to have promoted a petition. He would oppose the Motion, because he felt it was an act of injustice to punish the innocent for the guilty; and by this measure 4,964 persons, who had never offended, would be disfranchised. He would add, that he would yield to no man in his desire for purity of election. He was happy that the Reform Bill had worked so well in that respect. He remembered the arguments of the right hon. member for Montgomeryshire, in the last

Session, "that the example of disfranchising the freemen of Liverpool would operate on the minds of the electors." It had acted without the force of example, and he felt assured that it was not necessary for the cause of freedom of election to punish the delinquents of 1830, when at that period, and until the passing of the Reform Bill, so many hon. Members had sat in the House, whose seats had most openly and unblushingly been bought.

Sir *Henry Willoughby* opposed the Motion. The parties should have brought their case forward at an earlier period. He objected, however, to the Motion, principally because a Committee of that House was the most unsatisfactory tribunal possible for the trial of any such question. The judges were not sworn—the evidence was not given on oath—the Members did not attend constantly; and by such a tribunal, therefore, it was impossible to get at the truth. If there were to be any inquiry, it would be much better done by means of a Commission. He therefore should give his decided opposition to the Motion of the hon. member for Wiltshire.

Mr. *Poulett Thomson* said, the only question was, it having been alleged, that bribery and corruption prevailed to a great extent amongst a certain class of voters, whether an inquiry should take place into the truth of the allegation, so that, if a case should be made out, steps might be taken to prevent the recurrence of such practices in future. The statement of the noble Lord (Lord Sandon), if it proved anything, went to prove, that the borough of Liverpool ought to be disfranchised altogether. When hon. Members recollected the notoriety of the reports of bribery at the last election, he would ask, whether it was possible to believe that that election was conducted without bribery? It was said, that there was no proof of bribery to warrant the House in granting the Committee; but he would contend that it was unnecessary to adduce proof, nor was it necessary even to allege that the case could be made out, for the circumstances stated were sufficient to induce the House, in the protection of its own privileges, to inquire whether they were founded in truth. On such a subject, it was no answer to the demand for inquiry, to say that the time was gone by. It was the duty of the House to preserve the purity of the election of its Members; and, therefore, it was its duty to inquire into all cases of alleged gross corruption. It was also said that, if bribery had taken place, the parties ought to have petitioned the House under the Grenville Act. That, he would admit, might be a very good answer to persons complaining of bribery, and who had neglected to avail themselves of their right of petition; but it was no answer at all to the House, when complaining of the violation of its privileges. The right hon. Gentleman then referred to the preamble of the Grenville Act, under which, ordinarily, election petitions came before the House, and contended that it could not be made available in the argument on the present case, for here there was no complaint made of the return, nor was any wish entertained to unseat the present Member. Upon the statement made by the hon. member for Wiltshire of gross corruption in the borough of Liverpool, which corruption the hon. Member believed he should be able to prove to the House, they were, in his opinion, bound, in order to assert their own privileges, to grant this Committee of Inquiry.

Mr. *Hume* supported the Motion. The House was bound to purify itself, and to keep elections pure. Such a case as this was seldom brought before it; and when it was said, why did not the parties go to an Election Committee, he answered, that the expense prevented them. He hoped the House would interfere, and put an end to bribery whenever it occurred. The hon. Member near him had objected to the inefficacy of a Committee; that was no reason for foregoing all inquiry, but a reason for suggesting a better tribunal. That corruption was very great, was proved by the case of the dissenting clergyman quoted by the noble Lord, who would not appear against those who were bribed, because he knew that money had been subscribed for some similar purposes. That admission was an argument for inquiry. He wished to ask the noble Lord if he meant to say, that the whole expenses of the election was only 1,400*l.* [Lord *Sandon*: Yes; with 80*l.* for the hustings.] Then, he must say, that was impossible. As regarded the noble Lord, he had no doubt that the noble Lord was correct; but it was impossible that the election could have been carried for that sum. They were bound to have an inquiry, such as that now proposed, after every alleged case of corruption; and he, therefore, should vote for the Committee.

Sir *John Wrottesley* reminded the House, that, during the discussions on the Reform Bill, it was proposed to disfranchise the freemen, and it was with much reluctance that he consented to abandon that plan. But the Reform Act having been passed, and the freemen being allowed to remain, he regarded that Act as a general amnesty for all alleged corruption in the freemen previous to it. He, therefore, would never refer anything which had happened previous to that Act to a Committee of Inquiry. Moreover, this matter had been before an Election Committee, of which the Judges were sworn, and the witnesses were examined on oath; and he would never consent to refer a matter so examined to a less competent tribunal, before which the witnesses were not examined on oath, and of which the Judges were not sworn. He maintained, that, at the last election, and since that inquiry, no corruption had been proved against the freemen of Liverpool. It had been alleged, but not proved. If, henceforth, any such cases of bribery were brought before the House, he should be ready to go into them, and if he could not hope to cure the corruption of the freemen by the 10*l.* householders, he should have no objection to destroy any borough that was proved to be so incurably corrupt. He was altogether opposed to the Motion, because he thought the proposed Special Committee less appropriate to get at the truth than the Election Committee, which had already inquired into it.

Mr. *Thomas Gladstone* was opposed to the appointment of a Select Committee. The allegations of the petitioners, who did not exceed forty or fifty in number, were negatived by two petitions presented that day—one signed by 8,000 persons, and the other by 1,400 persons, including some of the most respectable merchants, brokers, &c., in Liverpool.

Lord *John Russell* said, that from the difficulties and expense that beset the investigation of elections, it would be utterly impossible to prevent bribery and corruption, unless the House resumed its ancient inquisitorial power. The most scandalous Liverpool election on record was that of 1831. He would, therefore, support the Motion for a Select Committee, but would postpone the appointment of its Members to a future day, and would then vote for selecting them by ballot.

Lord *Sandon* would make no further objection to the course proposed, provided the Committee should be appointed by ballot, and confined its researches to the last election.

The *Solicitor General* thought, that the election of 1830 should not be drawn into a precedent. They should allow a *locus penitentiæ* to offenders. He thought, however, that the Committee should be instructed to inquire into the proceedings of the last election; and, should bribery and corruption be found to have prevailed at that time, that then the whole question, including the practices in 1830, should be probed to the bottom. In his opinion the argument, that at the utmost no more than 1,450 persons would be punished, was exceedingly futile.

Lord *John Russell* said, that the conduct of the noble member for Liverpool (Lord Sandon) seemed so fair and handsome, that he thought, although it might ultimately be necessary to go back to the other elections, that the first inquiry should refer to the last election only.

Colonel *Williams* said, that the object of the Motion was to redeem the borough of Liverpool from the disgrace in which it was involved for the last thirty years by practices of the most scandalous bribery and corruption. For his own part, he would give the Motion his cordial support; though in doing so he sanctioned a measure which went to disfranchise himself as a freeman of the borough. The last election was conducted upon a principle which showed that the character of the place was quite notorious.

Mr. *Sheil* said, that the noble Lord (Lord Sandon) had started quite a new question in proposing that the investigation should be confined to the last election.

Lord *Sandon* said, that his only object was to confine the Report of the Committee to the result of the last election.

Mr. *Sheil* wished to know, whether he was to understand that the noble Lord did not propose to exclude inquiry from the facts connected with the preceding elections? In the Grampound case, the Committee had recommended the disfranchisement of the borough, not on account of any bribery at the election immediately preceding, but on account of that which had been practised at former ones. That was an important principle; but, moreover, it was fully confirmed and established by the similar case of East Retford.

Lord *Althorp* said, the House as

agreed as to the propriety of examining the last election proceedings; but probably it would be necessary, that the Committee should be instructed not to confine its inquiries to that alone. If the place should be found free from bribery for the last three elections—particularly taking into account the late infusion of householders — he thought the case should proceed no further; but if bribery had been employed at the last election, it was only just and fair they should suffer for offences aggravated by being committed after Reform.

Mr. *Atherley* was convinced, that inquiry was necessary, because he was sure that the freemen would always corrupt the Representation. Till they were reformed the working of the Reform Bill would not be successful.

Mr. *Goulburn* was against referring the petition to any but the usual sworn Election Committee appointed under the Grenville Act. It was an unprecedented step; and the question would ultimately be decided by a majority of the House. He knew, though he had no connexion with Liverpool, that the electors courted an inquiry; but he objected to the inquiry proposed, because it might prove, that the noble Member who represented Liverpool had been guilty of bribery, while it would provide no means for unseating him. Suppose that the Committee should report, that, at the last election, great corruption had taken place, in what a situation would the House be placed? Why, an imputation would be cast upon the sitting Member without any possibility of getting a proper Representative for Liverpool in his stead. For his part, he could not concur in any such anomalous and strange proceeding.

Mr. *Benett* was perfectly content if the Committee should be instructed to inquire into the proceedings of the last election, and as far back as might be necessary.

Question, that a Committee be appointed, agreed to.

On the question, that it be an instruction to the Committee, that they should first inquire into and Report the proceedings of the last election,

Mr. *Goulburn* said, that this was what he particularly objected to. He saw no reason for departing from the ordinary course of referring all such questions to a sworn Committee. It would both supersede the Grenville Act, and injure the rights of electors; and he, therefore, felt himself bound to protest against it.

Lord *John Russell* said, no Act could be more useful as between man and man than the Grenville Election Act; and the purity and impartiality of the proceedings under it gave uniform satisfaction. But it was very ill-calculated to promote the general interests of the representative body; in fact, they were lost in its restricted views and proceedings.

Mr. *Goulburn* denied, that the noble Lord at all understood the operation of the Grenville Act. The Committees under it made general Reports.

Mr. *Wason* said, that, in the case of Penryn, the Committee acting under the Grenville Act, had not only decided a particular question between individuals, but reported instances of gross bribery at the two preceding elections.

Motion agreed to.

Lord *John Russell* proposed, that the Committee should be chosen by ballot in a similar manner to Election Committees, but that the attendance of Members should not be enforced in the same manner. He moved, that the Committee should consist of fifteen Members; two to be named by the House, and thirteen to be chosen by lot. The ballot to take place on the 12th.

Agreed to.

SUPPLY—SUGAR DUTIES.] The House went into a Committee of Supply.

Lord *Althorp* said, that the first Resolution which he had to propose to the Committee was one with respect to the Sugar Duties, and he did not feel that it would be necessary for him to go into any detailed arguments upon that question. As he was about to propose a Resolution which went to continue this tax upon sugar, he begged to observe, that he proposed it upon the ground upon which all taxes must depend —namely, that it was required for the services of the State. He did not think that the state of the revenue was such, taking into account, too, the other questions of a fiscal nature that were likely to come under the consideration of the House, as to enable him to propose such a reduction in the duty on sugar as would be calculated to give any substantial relief either to the West-India colonies, or to the people of this country. Aware as he was of the distressed condition of the West-India proprietors, he should have been extremely glad if he could, consistently with his duty, propose a large reduction of the sugar duties. A small reduction of the duty would be productive of no advantage whatever to them, as unless the duty was so far reduced as to reduce the cost of sugar all over the world, or to give them, in effect, the monopoly of the market in this country, a reduction of the duty, without doing them any good would only cause a diminution in the revenue of the country. Under these circumstances, he begged leave to move the following Resolution:—"That it is the opinion of the Committee, that a sum of money granted towards raising the several duties on sugar imposed by the Act of the first year of the reign of his present Majesty should be further continued." Although the Resolution did not state the term for which the duties were to be continued, it was his intention to propose their continuance for one year.

Mr. *Hume* remarked, that this was the first occasion that the Reformed Parliament had to impose taxes. He was much surprised, therefore, that there was not a better attendance. He was sorry and surprised that the hon. member for Oldham was not there. He was, doubtless, not aware of it, or he would have been present. There were 314 new Members sent to that House, but when he looked round him he did not see half that number in the House, and the larger portion of those present were old Members. This did not say much for the industry and attention of the new Members; but he hoped that, on a future occasion, they would have a better attendance. He was sorry the old system of placing upon East-India sugar a duty of 10*s*. per cwt. more than upon West-India sugar, was to be kept up. He hoped the noble Lord would consent to an equalization of the duties. It would be a great benefit to our oriental possessions, by enabling them to pay for British manufactures, whilst it would not injure the West-India planters, as it was impossible, considering the distance, to compete with them; and it would be destroying the appearance of a monopoly which, in fact, was none. He hoped the noble Lord would take this into consideration; and he would make a motion to this effect on bringing up the Report. As to the smallness of any reduction which the noble Lord might be able to make, let him remember that, to a poor man, even a trifle was of consequence.

Mr. *Woolrych Whitmore* supported the proposition for equalizing the duties, as highly beneficial to both countries; and also condemned the system of utter prohibition of foreign sugar, which he thought might be allowed to come in to be refined for the foreign market, as contrary to the principles of free trade.

Lord *Althorp* could not agree with his hon. friend the member for Wolverhampton, who had just spoken, as to the course proposed to be adopted with respect to the sugar duties. If ever there was a period when that question became a question of difficulty and delicacy, it was the present, when Parliament was about to enter into an inquiry as to the renewal of the charter of the East-India Company, and when, at the same time, it was contemplated to make considerable alterations in the mode of regulating affairs in the West-Indies. At such a time as the present it would be exceedingly improper to reduce the duty on East-India sugar, no matter what temporary relief it might afford to individual parties. With regard to the reduction of the duty on sugar, as a measure of relief to the labouring classes, he agreed that it was desirable to reduce them on that account; but it was necessary to pay proportionate attention to all classes of his Majesty's subjects, and it became a question whether the reduction of some other tax would not be still more beneficial to the labouring classes themselves.

Mr. *Goulburn* wished to call the attention of the House to the novel circumstance of the House being called upon to vote supplies to his Majesty in a Committee of Ways and Means, without having laid before them the manner in which these supplies were to be expended —[hear]. He was the more anxious to touch upon this subject, as they had been told a Reformed Parliament (and this was the first) would do wonders. In the time of former Parliaments, it was usual for the objects to which the taxes were to be applied, to be stated before the taxes were voted; but it was reserved for a Reformed Parliament to see the taxes voted first, and their objects—whether for the army, navy, or other service—left to be determined afterwards. The usual course being so different from the present, he hoped the noble Lord would excuse his few observations. The noble Lord ought, before proposing a vote for a tax, to have made a statement of the burthens under which the country already laboured. He was perfectly aware that any large reduction of taxation was inconsistent with justice. It was of great importance that the West-India interest should be immediately settled on a sure basis; and it was certainly true, that the removal of these taxes would be a benefit to the labouring classes. While they relieved the poorer classes, it was right that they should give some relief to a class who, though not belonging to what were called the poorer classes, were yet amongst the poorest who lived under his Majesty's sway.

Lord *Althorp* wished merely to answer the speech of the right hon. Gentleman (Mr. Goulburn). The first objection which he made to the vote was merely one of form. The Navy Estimates had already been presented; but there was no vacant day for taking them into consideration. The postponement of the alteration of the Sugar Duties till the 5th of April, would throw it one day beyond the expiration of the financial year. It was impossible for him to state what he could reduce, until he could tell what was required for the support of the Government, and what would be the state of the revenue. It was the duty of Government to pay every attention to the interests of the lower classes, but not so as to exclude other classes.

Mr. *Robinson* observed, that though he and other Gentlemen on the same side were not inclined to believe that a great reduction of taxation could be made, yet many besides himself would be disposed to call upon the noble Lord for information as to the practicability of taking off the taxes which pressed upon the poorer classes, and commuting them for others, which would not be liable to the same objections.

Mr. *Warburton* observed, that, to say the least, it was very inconvenient to vote 4,000,000*l.* without having an estimate of the expenses of the year. He was sorry to find, that the hon. member for Manchester (Mr. Poulett Thomson), who ought to be best able to answer the inquiries which he was about to make, was not in his place; but, in his absence, he would ask the noble Lord (Lord Althorp), whether the experiments which had been instituted for the purpose of ascertaining the qualities of sugar, had made such progress as to enable the experimenters to make such a scale as would be necessary for an object which he considered extremely desirable, namely, for imposing a graduated duty in proportion to the quality of sugars?

Lord *Althorp* replied, that the experiments had not been carried so far as to enable them to make such a scale. The experiments, however, had proved that the calculations on which the Excise had formerly proceeded were erroneous; but the amount of the error had not yet been determined. It certainly had been proved that it was considerable.

Mr. *John Stewart* said, that the House, he was sure, could not but observe, that the persons interested in colonial affairs, and immediately connected with the colonies, had purposely abstained from opposing, or in any way embarrassing, his Majesty's Ministers upon the present question—feeling, as they did, that it was a matter of the utmost importance that the still greater question, and that which more largely affected the colonies, ought now once and for all to be settled; and, therefore, he, and all connected with the colonies, were most anxious that nothing whatever should stand in the way of that arrangement. As to the observations of the hon. member for Middlesex, and his advocacy of the interest of our East-Indian possessions, he must be allowed to say, that they were as inconsistent with the principles of sound policy, as with the advantage of that dependency of the British Empire. He thought that neither the West-Indian nor the East-Indian interest would thank the hon. member for Middlesex for his interference with the present business. His proceeding upon the present occasion was another symptom of the ambition, more troublesome than successful, which had distinguished the hon. Member during the present Session.

Mr. *Hume* could not refrain from deprecating the practice of making bargains with the Government on questions of that nature, or of any kind. That which was right should be done, without improperly agreeing to vote away any portion of the public money, in order to attain that which should be attained without any such sacrifice. As to what had been said respecting his support of one party, or the other, he hoped he should gain credit with the House when he stated, that he never got up there for the purpose of supporting the exclusive interests of any portion of the Empire, and therefore, he desired thanks as little as he expected them. There had been, for centuries in this country, too much talk about maintaining interests, and too little respecting the advantage of the public. His object was the public good; he therefore cared little for particular interests, and did not want their thanks. He defied any one to show that either his support or his opposition had ever been factious. He defied any to fix upon him any party motive.

Captain *Dundas*, as one of the young Members, hoped that it would not go abroad that, because one of the members for Oldham was absent, that therefore any considerable portion of the new Members were unattentive to the duty they owed their constituents.

Mr. *Faithful*, who observed that he was another of the young Members, expressed an earnest desire to get rid of the present Motion in any unobjectionable manner. He was, he confessed, most anxious to set it aside for the present, but he had not sufficient experience to know how that object could be effected according to the forms of the House. If the right hon. Member below him, who possessed more experience than he could boast of, would only have the goodness to inform him of the proper mode of proceeding, he should most readily adopt it. The noble Lord had told them that, in the present Session, they must not expect any considerable relief from the pressure of taxation—or, indeed, any relief at all [*No*]. He acknowledged he was rejoiced to receive that contradiction; and he sincerely hoped, that the fond expectations of the country would be realised. The people expected relief; and if those expectations were disappointed, he would take upon himself to say, that the Ministry would lose the confidence of the nation—that the great body of the people would be driven to desperation—and that thence some convulsive movement must of necessity arise.

Mr. *Ruthven* thought, that they ought not to proceed with so important a Motion at so late an hour. He moved as an Amendment, that the Chairman do report progress, and ask leave to sit again.

Mr. *Fielden* said, that the House was now called upon to vote 4,000,000*l.* of taxes, and that was a question not to be lightly dealt with. In the district with which he was more immediately connected there were 20,000 persons, out of a population of 200,000, who had only $2\frac{1}{4}d.$ a-day each to provide food and clothing and the other necessaries of life; and of that number 2,200 were out of employ. How wretchedly insufficient, then, must the remuneration for labour be! and what a state of things was that, which brought a labouring population to so low an ebb! and how necessary, then, was it that the Representatives of the people should watch with a jealous eye every new vote of taxation! Those unhappy beings worked hard from Monday morning till Saturday night, and their whole remuneration consisted of $2\frac{1}{4}d.$ per day each. It was perfectly true, that they were not consumers of sugar. No, truly; their diet consisted of nothing more than potatoes for dinner, and oatmeal porridge morning and evening. He stood there as their Representative, and demanded that their grievances should be redressed. He understood that some of his statements had been denied, but he challenged any one to bring proof that the facts he stated were incorrect. The state of the country was most alarming and most revolting to the feelings of humanity; and he, therefore, could not give his consent to any supply, until he had previously obtained a promise from the Government that something effectual should be done for the redress of grievances.

Mr. *Strickland* adverted to some letters which had been published in the newspapers, denying the statements of the hon. member for Oldham; it was, he believed, by no means the fact that such great misery prevailed in the manufacturing districts as had been represented; for the employment, at the present moment, was pretty general, though the wages were low. That was a state of things, which, in his judgment, was by no means satisfactorily accounted for; and he did sincerely hope that the hon. member for Oldham would bring forward some Motion to the House upon that subject.

Mr. *Fielden* declined to enter then into any controversies with anonymous writers, who produced no authority for their assertions.

Mr. *Potter* was most anxious to see the duties removed from soap.

Mr. *Rice* observed, that confessedly the sugar duties did not affect the class whose distresses had that night been made the subject of complaint; and why should the hon. Members who urged the condition of that class as matter of the highest importance, object to a tax which did not press upon those whose case they thought the hardest? The present was not a conclusive Motion; it was only a vote on which a bill was to be subsequently grounded.

Mr. *George Young* while he was anxious that taxation should be remitted as far as was practicable, expressed his confidence that his Majesty's present Government would do all in their power for that purpose. Conceiving, also, that the duty under consideration was not one of those which could be remitted, he saw no reason for voting that the Chairman should leave the Chair.

Mr. *Baldwin* said, he had been instructed by his constituents to oppose all supplies, and he should not feel it to be his duty to vote one shilling of supply to his Majesty's Ministers for the purpose of enforcing military law in Ireland.

A *Member* felt it his duty to declare that the population ten miles round Manchester were, at the present moment, as comfortable as they had been during any period within the last twelve or fourteen years.

Mr. *Guest* said, that the population in the neighbourhood of Manchester had never been so much distressed as within the last two years; but he was happy to add, that their condition was at present improving.

The Committee divided on the Amendment—Ayes 8; Noes 86—Majority 78.

The Resolution agreed to; as were also the remaining Resolutions.

The House resumed.

List of the AYES.

Baldwin, H.
Barry, S.
Faithful, G.
Fielden, J.
Hume, J.
O'Connor, F.
Ruthven, E.
Vigors, N.
TELLER.
Ruthven, E. S.

* * *

HOUSE OF LORDS,

Thursday, March 7, 1833.

MINUTES.] Petitions presented. By Lord SIDMOUTH, from the University of Oxford; by the Earl of WICKLOW, from Buckerell; by the Marquess of WESTMINSTER, from Glasgow; by Lord SUFFIELD, from Bow and St. Pancras; by Lord BYRON, from Christ Church; by the Bishop of Lincoln, from Gainsborough; by the Earl of RODEN, from several Parishes in Dublin; and by the Earl of CAWDOR, from Cawdor,—for the Better Observance of the Sabbath.—By the Marquess of WESTMINSTER, from Dissenters at Thrapston, for the Repeal of all the Laws relative to the Observance of the Sabbath.—By Lord TEYNHAM, from Wakefield, in favour of the Factories Bill; and from Killeconigan, and other Places in Ireland, against the Coercive Bill.—By Lord KING, from St. Mary's, Newington; by Lord DACRE, from Newport and Dunlop; by the Earl of CAWDOR, from Auchtergaven; and by Lord LILFORD, from Waldegrave, Wold Weldon, Scaldwell, and Cranford, Northamptonshire,—for the Abolition of Slavery.—By Lord KING, from St. Mary's, Newington, for the Repeal of the House and Window Tax. —By Lord DACRE, from Thurso, for the Abolition of Church Patronage.

JURIES (IRELAND).] The Earl of *Wicklow:* My Lords, perceiving the noble Viscount, the Secretary of State for the Home Department in his place, I beg leave to put a question upon a subject which has created a great deal of alarm in Ireland. I allude, my Lords, to a bill brought up from the other House of Parliament last Session, called the Irish Jury Bill. That Bill was considered to be a measure of so much importance in the administration of justice in that country, that it was considered advisable to refer it to a Select Committee of your Lordships' House. I had the honour of being on that Committee, and it was suggested, when the Bill was under consideration, that it would be very desirable to have the opinion of the Judges upon some of the points of it. The noble Viscount undertook to refer to the Judges for their opinion; and what I wish to know is, whether, as yet, he has received the decision of those Judges; and. if he has, whether his Majesty's Ministers intend to bring that Bill, or a Bill with similar provisions, before Parliament in the course of the present Session?

Viscount *Melbourne:* My Lords, in answer to the question just put to me by the noble Earl, I beg to state, that it is the intention of his Majesty's Government, and that without delay, to bring forward a measure to regulate the Juries in Ireland. I cannot, however, undertake to say, that the Bill will be precisely the same as the Bill introduced during the last Session of Parliament. With respect to the other topic introduced by the noble Earl, I can state, that the Judges were consulted upon the subject, and their opinion has been given. They approve of some parts of the Bill, but they have suggested alterations in other parts of it.

THE RECTOR OF PORLOCK.] The Bishop of *Bath* and *Wells* said, seeing a noble Baron (Lord King) in his place, he begged to introduce very briefly to his notice, the subject which, on a former night, had been brought forward by that noble Lord, in which he had accused a reverend gentleman (the reverend Mr.

Clarke), holding a benefice in a parish in his (the Bishop of Bath and Wells's) diocese, of attempting to take tithe of fish caught on the coast. Now, he had since that made inquiries into the charge, and had received most satisfactory answers, completely exculpating that reverend gentleman. Among the letters which he had received from various individuals, all of whom spoke in the highest terms of praise of him, was one from Sir Thomas Acland. That reverend gentleman's conduct was represented as being most exemplary, and ever since his residence in the parish had done all that lay in his power to promote the advantage of his parishioners. He had never proceeded to act in the manner stated; and he (the Bishop of Bath and Wells) hoped the noble Lord would do justice to the feelings of an individual whom he had calumniated, and express his sorrow for it. As the Bishop of the diocese, he thought himself bound to make these circumstances known, and he had communicated the contents of the letters to the noble Lord.

Lord *King* acknowledged the courtesy of the right reverend Prelate in showing him the correspondence alluded to; nevertheless, he (Lord King) was at a loss to discover what part of the statement that he had made had been contradicted by it. He had said, that the tithe-proctor had been burnt in effigy; and was not that the fact? One of the letters, as he recollected, from a neighbouring gentleman, stated, " that the talk about the tithe of fish, had arisen from a casual conversation between the reverend Mr. Clarke and another clergyman, in which Mr. Clarke said, that he was entitled to it." He had recently had an application for some ground in the parish of which that gentleman was rector, for the purpose of building a large dissenting chapel; and he was informed that half of Mr. Clarke's congregation would leave him if there was a large chapel, the present dissenting chapel being a small one. It had also been stated, that, since the reverend gentleman had acted as he had, the choir had refused to sing in the Church.

The Bishop of *Bath* and *Wells* said, he was satisfied with what had fallen from the noble Baron, as it fully exhibited the grounds upon which this respectable clergyman had been attacked. He put it to their Lordships, whether they did not all go away with the impression, after hearing the noble Lord and his petition, that the tithe upon fish had been formally claimed of the whole body of parishioners? He was very well satisfied to leave the noble Lord and the cases in the situation in which both now stood.

Lord *Wynford* said, he did understand that the noble Lord had stated that the reverend Gentleman had demanded tithes on fish. If there was a custom for the tithe, why then, as the noble and learned Lord had stated the other night, the clergyman was entitled to it; but it turned out that no such tithe had been demanded. The noble Lord opposite was therefore inaccurate in what he had stated.

Lord *King* observed, that what he did say was, that the tithe-proctor had been burnt in effigy, and that it was the petitioners who complained of the tithe. He had certainly described the parish as being in a state of great alarm upon the subject, and he was warranted, from the petition, in so describing it.

LAW REFORM BILL.] The *Lord Chancellor* rose to move for leave to bring in a Bill, to which he should have to solicit the more particular attention of their Lordships in its future stages. At present, it was only his intention to state the general character of the measure, and to move the first reading. The matters to which it applied were of the greatest importance to all classes in the country. Its principal object was, to carry into effect and make law a variety of recommendations, which had proceeded from a body known as the Law Commissioners—that very useful body which had been appointed and sanctioned in its labours by a commission from the Crown, in pursuance of humble addresses from that and the other House of Parliament, with authority to inquire into the state of the Common Law, with a view to its amendment in certain respects, where the interests and wants of the country might require it. The result of the labours of that commission was before the House, and this Bill had for its principal object the carrying of the recommendations into effect. The first point to which it would be directed was that of pleading. A provision would be made, investing the Judges with a power to make regulations with a view to the abridgment of unnecessary forms in the practice in special pleading. The next provision related to one of the most important subjects which had come under the examination of the Commissioners—namely, the producing statutory limitations in a variety of actions. The defects of the old statutes of limitation were well known, the limitation extending to very long, and, in some instances, to uncertain periods. These defects would be remedied by the Bill which he had the honour to submit to their Lordships, and particularly those which attached to claims upon bonds, which were to be made to expire at the end of ten years. Another provision of the Bill was directed to remedy the hardships to which the sureties of Crown debtors were liable under the existing system. They were frequently sufferers from the great delay in making the demands upon the parties for whom they became answerable; the principal debtors were often left for forty or fifty, or even for seventy years without being called to account, though they might, during that period, have been in a state of perfect solvency. The consequence of this delay often was, that demands were made on the sureties after the insolvency of the principal debtors, which would have been superseded had the principals been applied to in proper time. There was another provision in the Bill which would enable parties to go into the facts of their cases without the expense attendant upon proceeding with an action, which would enable them to put those facts upon record in such a manner as to take the opinion of the Court upon them, and receive its judgment, in cases where that could be done without incurring the unnecessary expense of bringing an action. There were various other provisions in the Bill, made, with a view to render proceedings in cases shorter, and to lessen their expense. He did not feel it necessary, at its present stage, to go into all the details of this Bill; but there were some further striking improvements proposed to be introduced by it that he thought it right now to mention. One of these provisions was—and he considered it a very great improvement indeed—to enable Juries to find a verdict for the interest, as well as for the principal, provided that a demand had been made for such interest previous to the taking of the action; and it further provided, that the interest found by the Jury, if they should so think fit to find, under the direction of the learned Judge presiding, should begin from the time of the demand. In cases of this kind, at present, where a security did not expressly, or upon the face of it, show that interest was payable, a Jury could not find for the interest, and in that respect the law courts of England were peculiarly distinguished from the law courts in other countries. Another great improvement which was proposed to be effected by this Bill, consisted in the facilitating proceedings by a reference to arbitration. Their Lordships were aware, that, as the law at present stood, a reference to arbitration was an extremely difficult thing to procure. This Bill provided that arbitration should be lawful in certain cases, and it gave the arbitrators the power of summoning and examining witnesses upon oath, and of deciding upon all the facts of the case. There was, however, no compulsory clause for arbitration contained in this Bill, similar to that contained in the bill which had been introduced into that House last Session by his late lamented noble and learned friend Lord Tenterden. That compulsory clause was omitted from the present Bill, as were also the concomitant clauses, enabling the Court to compel arbitration in certain cases. There was, he repeated, no compulsory power given by this Bill, except in a case of arbitration, where one party proceeding against another, full time had been given to bring forward the facts of the case as ordered. There was another provision for facilitating the proving of deeds and other documents, whether written or printed; and it provided that, in cases where such documents had been proved already, it would not be necessary to bring down witnesses for the purpose; thus doing away with a great deal of the expense of trying actions under the existing system. There was another clause, which provided, that where a Judge thought fit that parties should not be subjected to the expense of bringing their actions before the Courts of Law in Westminster, he should order such actions to be tried before the Sheriffs in county courts with the assistance of Juries, thus materially diminishing the expense attendant upon such proceedings. This last provision, their Lordships would perceive, was a most important step towards the establishment of local and cheap jurisdictions throughout the country; but if he thought that this provision of the Bill at all anticipated or rendered supererogatory that more effective and general arrangement for the establishment of such local jurisdictions throughout the country which he (the Lord Chancellor) had brought forward in that House the Session before last, and which he had formerly brought forward in the House of Commons—if he thought, he repeated, that this provision in any way took the place of that measure, he should not have inserted it in the present Bill; but he considered, on the contrary, that this provision was quite consistent with that other and more general measure, and that it would supply some points that might be necessary to render that measure more effective. He would show that to be the case when he should have the honour of introducing that other Bill, which he hoped he should be able in a few days to lay before their Lordships. If he was not greatly deceived, there could not be a more useful, as he was quite certain that there could not be a more necessary, measure than the one which tended to the establishment of local jurisdictions throughout the country, for the trial of all actions for a small amount, except some cases touching title, which should be left to the superior courts of law. One of the great and chief objects of legislation should be to render justice cheap and easy of access; and he considered the provision in the Bill he now held in his hand as rather ancillary to the general measure to which he had alluded than as at all interfering with its necessity.

Bill read a first time.

HOUSE OF COMMONS,

Thursday, *March* 7, 1833.

MINUTES.] Papers ordered. On the Motion of Lord GRANVILLE SOMERSET, the Number of Lunatics confined under the authority of the Crown, and the Amount of their Incomes.—On the Motion of Mr. WOLRYCHE WHITMORE, Correspondence between the Secretary of State for the Colonies, and the Governors of the Colonies in North America and Australia, relative to Emigration.

Petitions presented. By Sir GEORGE GREY, from Foxearth, Durham, Devonport, and Stonehouse,—for the Better Observance of the Sabbath.—By Mr. BOLLING, from Farnworth, and other Places in Lancashire, in favour of the Factories Bill.

NEW BEER ACT.] Mr. *Bolling* presented a Petition from the Proprietors of new Beer Shops at Bolton in favour of the new Beer Act, and praying that no restrictions might be placed upon their trade. The hon. Member said, that having been intrusted with the petition, he felt it his duty to present it to the House, although he could not, he was sorry to say, concur in its prayer, considering, as he did, new beer shops to be a very great evil.

Colonel *Williams* also dissented from the prayer of the petition, and declared that the effect of allowing every third house in a parish or town to have a license to sell beer was, that the people of England would, in the end, be literally poisoned. The new Beer Act was, in his opinion, and he spoke from observation and experience, the worst measure which any Government had of late introduced. The number of new beer shops exceeded 25,000, and he could assure the House that they were calculated only to demoralize the poor. He trusted that the present Government would see and correct the evil.

Mr. *Cobbett* thought, that the hon. Member who had just sat down was mistaken as to the number of new beer-shops, for, instead of there being 25,000, the number did not exceed 2,000.

Colonel *Williams* could assure the hon. member for Oldham, that in the district of Lancashire, in which he (Colonel Williams) resided, there were more than 2,000 new beer shops. He had the honour to be a magistrate, and, as he took an active part in the business of the district to which he alluded, he could, without fear of contradiction, assert that the number was nearly double that which the hon. member for Oldham had stated.

Sir *Robert Inglis* observed, that if his hon. friend (Colonel Williams) had not limited himself to Lancashire he might have gone even still further. He could state without fear of contradiction, that the number of licensed public-houses was 50,000, and that there were upwards of 26,000 shops for the sale of beer opened under the new Beer Act.

Colonel *Torrens* supported the prayer of the petition, because he was of opinion that new beer shops were a decided advantage to the poor. He had a similar petition to present, and—

The *Speaker*, referring to the understanding which had been come to relative to abstaining from discussion on the presentation of petitions, said that he hoped the hon. Member would at least reserve his speech until he presented the petition to which he had alluded.

Mr. *Benett* hoped he might be allowed to say a very few words.

The *Speaker* put it to the good sense of the hon. Member whether he would proceed after what had just taken place.

Petition to lie upon the Table.

TAXES—UNIVERSAL SUFFRAGE.] Mr. *Bolling* presented a Petition, signed by 7,500 persons, inhabitants of Great and Little Bolton, praying for a reduction of Taxation, the removal of the Corn-laws, the duties upon Tea and Sugar, the House and Window duty, Vote by Ballot, Universal Suffrage, and Annual Parliaments. The hon. Gentleman begged to say, that there were many topics contained in this petition with which he could not agree. He would be as willing as any man to support any plan which might be devised for the reduction of taxation or the removal of unjust burthens from the people, but he at the same time never could sanction either Universal Suffrage or Annual Parliaments. He was glad to see the noble Lord (Lord Althorp) in his place, as he wished to remind him that the county of Lancaster, that great mart for cotton, had strong claims upon his attention. The people of Lancashire felt the tax upon raw cotton a great and grievous injustice towards them, and they entertained the most sanguine expectations that the noble Lord would repeal it. He trusted that they would not be disappointed.

Colonel *Torrens* supported the prayer of the petition, with the exception of that part of it which related to Universal Suffrage and Annual Parliaments. These he could not advocate.

Colonel *Williams* would give his support to the petition so far as the reduction of taxation went.

Mr. *Gillon* supported the petition as it stood, and complained that a petition of the people should have been received with so little respect. If petitions were to be laughed at in this manner, the people would not trouble them with their complaints of grievances in future. He for one should regret that, for he saw no method by which anarchy would be so certainly brought on the country, as by that House entirely separating itself from the people.

Mr. *Bolling* denied, that the petition had been received with indecorum. The laugh to which the hon. Gentleman had alluded, arose altogether from the manner in which he had stated the objects of the petitioners, and had no reference whatever to the petition itself.

Petition to lie upon the Table.

SUPPRESSION OF DISTURBANCES (IRELAND) — PETITIONS.] Mr. Grote presented a Petition from Samuel Fletcher, of Norwich, against the Bill for the Suppression of Disturbances in Ireland.

Mr. *O'Connell* had numerous petitions to present from various parts of England and Scotland against the Bill, but in consequence of the arrangements of the House for the reception of petitions, he had not yet had an opportunity of presenting them. He should endeavour to bring them up to-morrow, but lest he should be prevented from doing so, he was desirous that the persons who had done him the honour to commit them to him, should not suppose that he neglected them, or that he was not gratified by the assistance which they desired to give him, in opposing this Bill, or ungrateful for the sympathy which was expressed for Ireland in every part of England.

Mr. *Cobbett* had twenty-seven different petitions to present, from various parts of England, against the Bill for establishing military tribunals in Ireland, in the place of the ordinary administration of justice; but the arrangements of the House had hitherto prevented him from presenting them, and unless the difficulties were removed, they would amount almost to a denial of the right of petition. The noble Lord opposite (Lord Althorp) had said that he (Mr. Cobbett) frequently attributed bad motives to the proposers of the present arrangement. He had not attributed bad motives. He had only said what the effect would be, and such the effect must be if they persisted in the present course. The hon. member for Staffordshire said yesterday, that he (Mr. Cobbett) had acted contrary to the course which he had himself recommended, by making speeches on the presentation of petitions. But that hon. Member must have forgotten what he really did say—which was, that all petitions should be received and read, or that such parts of them should be read as the Members presenting them might choose, and that they should all be printed. For although the printing would be expensive, yet what signified the expense compared with the time of that House. He hoped the noble Lord (Lord Althorp) would see the necessity of altering his arrangement. If the noble Lord did not, it would be impossible to present the petitions against the Bill before it should have passed, or even before the people against whom it was directed should be on their way to Botany Bay.

Lord *Althorp* suggested that the whole of the time for presenting petitions on the ensuing day, should be appropriated to the presenting petitions on this subject.

Mr. *O'Connell* suggested that each Member should classify his petitions, and make one speech do for each class.

Mr. *Attwood* thought, that as the Bill would, in all probability, pass before the petitions against it would have time to be presented, the noble Lord opposite should allow the next two or three days to their presentation; and postpone the second reading of the Bill for that purpose.

Mr. *O'Connell* begged to express his concurrence in that suggestion; and added, that the petitions in its favour, if any, could be presented during that time also.

Petition laid on the Table.

ELECTION COMMITTEES.] Mr. *Grote* presented a Petition from individuals at Norwich, stating, that the return of Lord Stormont and Sir James Scarlett for that place, had been effected by means of bribery and corruption, and praying that a Parliamentary Commission might be sent down, fully and fairly to inquire into and expose the system. It would be impossible to establish those facts before the Election Committee, in consequence of the expense that it would occasion; and, as the practice of sending Commissions for similar purposes had been adopted, he saw no reason why it should not be followed also in England.

The *Solicitor General* objected to the reception of petitions relative to a question which was already brought under the consideration of the House by an election petition. Had the hon. Gentleman considered the nature of this petition for a moment, he must have been convinced of its irregularity, and that that for which it prayed was nothing more nor less than asking the House of Commons to prejudge a question, which one of its own Committees would have to decide on oath. He must deprecate such attempts to pervert the public mind, and frustrate the ends of justice. A Committee was about to sit in judgment upon the Norwich election petition, and, pending that proceeding, such a statement as that contained in this petition ought not to have been made.

Mr. *O'Connell* fully concurred in the prayer of the petition, and it should have his warmest support. He thought no hardship could be greater on hon. Members, who were ultimately declared duly elected, than that of bringing witnesses, at an immense expense, from the extreme end, perhaps, of the kingdom. It was particularly the case, as far as it related to petitions from Ireland; and few hon. Members, except those of that country, who suffered from the operation of the law, as it stood at present, could appreciate its enormity. It would be better, in his opinion, that a single Commissioner, from a Committee of that House, should proceed to the place where the petition emanated, and then examine witnesses as to the validity and effect their testimony would have before that Committee. As to the present system, it was replete with absurdities and anomalies. Commissions would be of very little use, if every Commission were like the last which had been sent to Ireland; and which did not complete its business before it was put an end to by the dissolution of the Parliament. With respect to the city of Norwich, he was well informed of the great expense which a trial of the petition under the ordinary law would entail upon the petitioners; and he therefore heartily concurred in its prayer. He thought that Committees of that House trying election petitions, ought, in their decision against unsupported petitions, to be a little more firm than they were accustomed to be.

Mr. *Wynn* concurred with the hon. member for Dublin, in his view of the present system. The Act which authorized the issue of Commissions for examining witnesses in Ireland was certainly a clumsy, inconvenient, and expensive contrivance. He was afraid that Election Committees of that House were too prone to omit the sentence "frivolous and vexatious." He thought it their duty to pronounce it oftener than they did. Perhaps the words frivolous and vexatious were sometimes too harsh; but then the Committee should make the petitioners pay the expenses of the unsuccessful candidate, unless there were sufficient grounds to the contrary.

Mr. *Warburton* called the attention of the House to the case of the hon. member for Dorsetshire. Although he sided with the petitioners against the election of that hon. Gentleman, the hon. Member declared that he ought to retain his seat;

but that the expense would be so enormous in proving his eligibility to sit in that House, that he was obliged to relinquish the inquiry. Some of the electors, however, took the matter up. The merits of that election were afterwards referred to a Committee, who declared that the hon. Member was duly elected. Here was a case where, in consequence of the enormous expense attending the bringing forward witnesses from distant parts, to prove the legality of the election, in which the country might have been deprived of the services of a Gentleman who was declared to have been properly returned.

Mr. *Wason* concurred in what had fallen from the hon. Member who had just addressed the House. The case of Liverpool was an illustration of the inconvenience and expense attendant on the present mode of trying election petitions. Elections that were notoriously carried by bribery, were, under the present system, defended, because the longest purse could gain the cause.

Mr. *Wynn* suggested, that when it should appear that the sitting Member had no good defence to set up against a petition, the expense attendant upon contesting it should fall wholly upon him. His defence should be reported frivolous and vexatious.

Mr. *Grote* was glad, notwithstanding the opinions expressed by the learned Solicitor General, that he had presented this petition, and he trusted that it would appear here, as in civil cases, that there was no wrong without a remedy. He was sure no injustice would be done by the petition, for the members of the Committee would decide on nothing but the evidence.

Petition laid on the Table.

JURIES—(IRELAND).] On Mr. O'Connell being called on by the Speaker,

Lord *Althorp* said, that before the hon. and learned Gentleman made his observations upon the motion of which the hon. and learned Member had given notice, he wished to make one suggestion. He had stated, on a former occasion, that the pledge he had given in the course of last year on this subject, that a Jury Bill should be brought in by the Government, was one which he thought had not been redeemed, and ought to be redeemed. In pursuance of that acknowledgment, he now wished to state, that it was the intention of the Government to bring forward in the other House of Parliament, a Bill, not exactly or verbally, but in substance the same with that which was introduced last year. The reason he thought it would be more convenient to bring it forward in the other House was, that the pressure of business in this House was so considerable, that he did not think they should be able to carry it through for some time to come—that it might in the mean time be passed through the other House, and when it came here, it ought to have incorporated in it all the Amendments which this House might think fit. This suggestion he threw out for the consideration of the hon. and learned Member before he brought forward the question. If the hon. and learned Member should persevere in his intention of bringing in the Bill, he (Lord Althorp) should not object to its introduction, nor to the Bill, except so far as he should feel himself called upon to oppose any of the details of the measure in its future stages through the House. Having thus stated what was the intention of the Government, he should leave it with the hon. and learned Member to determine whether he would leave the matter in the hands of Government or not.

Mr. *O'Connell* placed the most unlimited reliance on the noble Lord's word as to his redeeming his pledge, and did not place to account, in the way of blame, the fact that the Bill had not been brought in during the last Parliament. He should therefore say, that if the Bill which he was about to propose was confined to Special Juries, he should not feel the least hesitation in acceding to the noble Lord's suggestion; but there were parts of his proposed Bill that were not to be found in the Bill of last year, and there were portions of the Bill of last year that, in his opinion, did not go far enough to remedy the evils it related to. That Bill only went to cure one set of evils. He did not mean to trespass long upon the House, but should wish to state to them what was the nature of his demand. He did not wish to pledge the Government on the subject, but he should like to let the Government know what he asked; and then, if the noble Lord would say, that they would take the whole subject into their consideration, that moment he would withdraw his Motion. His Motion simply was, for leave to bring in a Bill to amend the laws relating to Special Juries, and to Juries in criminal cases in Ireland. He should not detain the House with any observations as to Special Juries. He should go at once to the other question. By 6th George 4th, the Jury-law in England was altered and amended. Up to that period, the practice of selecting Special Juries was vested in the Master of the Crown Office, who had an absolute power of selection. It was then often matter of complaint, that by those means he packed Special Juries in Crown cases. But his power was settled by the law, and, at length, when it was brought before the Court of King's Bench, one of the Judges said, if by packing, you mean selecting a Jury, the officer has a right to pack the Jury. The matter was soon afterwards brought before that House. It was then that a new plan was proposed. After having ascertained who were fit to serve on Special Juries, their names were formed into a list, and they were nominated by the ballot. He required no more for Ireland; but he thought it highly desirable that the law of the two countries should be assimilated. He had been told, that Mr. Baron Pennefather felt some objections to the measure. Since he had heard that, he had had an opportunity of seeing that learned Judge; and, after explaining to him the real nature of the plan, Mr. Baron Pennefather expressed himself highly favourable to the Bill. He had read the other day, in the newspapers, an essay by a Judge against Jurors, or, at least, not in favour of the Jury system; but that House ought not to attend to these opinions more than by listening to them with the respectful deference due to the situation of the learned person who uttered them. It should be recollected that it was the duty of the Jury to check the Judge, but Juries came to be sometimes disliked when they performed that duty scrupulously. In the 15th report of the Commissioners of Judicial Inquiry would be found the evidence of a person who distinctly admitted, that he had a predilection for Special Juries; for if they did not attend, he believed he had found it sometimes convenient to consult one of the parties as to the *tales* men he should return. That was the evidence of a Sub-Sheriff; and when he expressed a belief of that kind, there was no doubt that implicit credit should be given to his belief. Great complaints had been made of the Special Juries in the county of Dublin, and they were founded on this, that the Corporation of Dublin were, in fact, few in numbers, and exclusive in religion, and the officer took the Corporation, and the high political men, and put them on the list, and required an actual legal objection before he would pass them over. He thought the complaints, as to those Juries and their mode of appointment, were well founded, and that not only in a political point of view, but on account of civil matters. He knew of instances in which Special Juries in Dublin had decided questions of property, not on the evidence before them, but as they happened to like or dislike the politics of the respective parties. He wished to add to these changes an alteration in the mode of appointing Juries in criminal cases. At present, the practice was, for the Sheriff or Sub-sheriff to strike what was called a Grand Panel for each Assize: and, notwithstanding the provisions of the 12th Geo. 1st, c. 4, he exercised an uncontrolled discretion in this duty; he usually returned from 100 to 700 names, and the effect was, that the Crown enjoyed the absolute choice of every Jury. He was desirous, therefore, of making the law, as it regarded challenges, the same in Ireland as in England. When a prisoner was put upon his trial, he had the right peremptorily to challenge twenty Jurymen, but the right of the Crown, in this respect, was unlimited. In the reign of Edward 1st, indeed, a law was passed to the contrary, but the Judges, by their practice, had repealed this law; when the Crown had peremptorily challenged beyond a certain number of Jurymen, the rest that were subsequently challenged, were ordered to stand by until the whole number should have been gone through; but when they were gone through, the Judges might order an unlimited extension of the list, and there were instances in which the Crown had gone to the extent of challenging 132 Jurymen. Private prosecutors had the same advantage in misdemeanors, and offences not transportable. A respectable solicitor at Cork, was tried for evading the Bankrupt-laws, and he was unjustly convicted of a conspiracy, because the prosecutor had been able to secure a Jury with eleven "Friendly Brothers," a society to which he belonged, upon it. Lord Chancellor Manners and the other Judges were so satisfied of the unfitness of the verdict, that they restored the individual to his situation in the profession. How, then, did he (Mr. O'Connell) propose to remedy this defective state of the law? By adopting a principle already familiar, and observed since the reign of Edward 3rd, in civil cases—namely, ballotting for the Juries. The Sheriff at present returned from thirty-six to sixty names in every cause—most commonly sixty. His (Mr. O'Connell's) plan was, that a ballot should take place for the Jury among the names returned by the Sheriff in Ireland upon the Grand Panel—that the prisoner should still be allowed his peremptory challenges, but that the Crown should be deprived of the power it exercised of objecting to any number without cause assigned. He had trespassed longer upon the attention of the House than he had designed—he had shown, that he meant to adopt the English law of last Session as regarded Special Juries, and to restore the ancient law, by abolishing what was called letting Jurors stand by on behalf of the Crown—further, he intended also to apply the system of ballot to Juries in criminal cases. He should be most happy if the noble Lord would assure him that the latter part of the subject was likely to meet with the approbation of Government; and in the hope that it would not be resisted, at least in the first instance, he moved "that leave be given to bring in a Bill to Amend the Law relative to Special Juries, and Juries in Criminal Cases in Ireland."

Lord *Althorp* did not mean to resist the introduction of the Bill, although he found that it went somewhat further than he had supposed when he last addressed a few words to the House. He reserved to himself, however, after reflection and consultation with his colleagues, the right of resisting any parts of the measure in its future stages; and, in the outset, he must say, without pretending to the knowledge of a professional man upon the subject, that it went beyond the necessity of the case, if the wish of the hon. and learned Member were only to assimilate the laws regarding Juries in England and Ireland.

Mr. *Lefroy* said, that as the present was a measure vitally affecting the administration of justice in Ireland, he could not, after the statements he had heard put forth by the hon. and learned member for Dublin, suffer his observations to pass altogether without notice. He must, in the first instance, inform the House, that in his opinion, the most mischievous consequences would ensue from such a revolution in the Jury system as that proposed by the hon. and learned Gentleman. It was going far beyond anything in the way of change that had been effected in England. The prerogative of the Crown to set aside Jurors was objected to, but it appeared to him that that prerogative like all others was conferred for wise and good reasons. What object could the Crown have in procuring an unjust verdict, and how many good reasons might there be for ordering Jurors to stand by, though at the same time it might be most difficult to establish a legal objection to them? That the Crown did not exercise the prerogative to a mischievous extent he thought was manifest from the fact, that, at the Kilkenny Assizes, the Crown found it impossible to obtain a verdict in a case where a most atrocious murder had been committed, and yet the hon. and learned Member would have it inferred that the Crown was in the habit of packing Juries. The hon. and learned Gentleman also complained of the Special Juries in Dublin. He (Mr. Lefroy) trusted that vague and loose assertions would have no weight with the House. The Special Juries of Dublin were composed of the most respectable merchants and bankers in that city; and, as the hon. and learned Gentleman had thought fit to scatter such general imputations, he should be wanting in his duty if he did not vindicate the Special Jurors of Dublin from the foul aspersions which had been cast upon them. Aspersions had also been cast upon the Sheriffs, and other persons connected with the administration of justice in Ireland. He was sorry to perceive, that a wish existed to bring all persons concerned in administering the law in Ireland into disrepute; and he regretted to find a readiness on the part of the House to lend itself to the attempts. He had had the honour of bearing his Majesty's Commission on circuit for several years, and he could not recollect any instance that could warrant the charges which had been made against the Sheriffs and Juries of Ireland. The hon. and learned Gentleman might, perhaps, be able to point out some solitary instance of improper conduct. Hon. Members, however, would not, he hoped, suffer their opinions to be prejudiced by such an instance, but rather judge of the Sheriffs and Jurors by their general conduct, and not be biassed by a particular case.

The *Solicitor General* rose to express his good wishes for the Bill as far as it proposed to assimilate the law of Ireland to that of England. He did not pretend to be well acquainted with the practical administration of the law in Ireland, but this he knew, that a Jury selected by officers of the Court would never command the confidence of the country. It was most desirable, therefore, that Juries should be chosen by Ballot. He hoped, however, that the hon. and learned Gentleman would be satisfied with proceeding no further than assimilation; the 6th George 4th had worked extremely well in this country; no complaint had been made from any quarter, and it would be well if that were extended to Ireland. He was of opinion, however, that the Crown ought to be allowed peremptory challenges, and he had no objection that the prisoner should enjoy the same advantage in all cases of felony as far as related to twenty Jurors.

Mr. *Shaw* said, that he concurred in the principle laid down by the Solicitor General, and the hon. and learned member for Dublin, as to the propriety of assimilating as far as possible the law in England and Ireland; but he must view with alarm the introduction of a measure such as that proposed, and to the principle of which the twelve Judges in Ireland were unanimously opposed. He desired that the same spirit should pervade the laws in the two countries, yet it was quite necessary to keep in mind the different circumstances under which that spirit and principle was to be practically applied. The hon. and learned Gentleman, the member for Dublin, stated that Baron Pennefather had agreed to the principle of the measure, but was opposed to some of its details. He did not mean to accuse the hon. and learned Gentleman of wilfully misrepresenting the opinions of the learned Judge, but he knew, and would distinctly assert, that Baron Pennefather was opposed to the principle of the Bill. Before the House adopted any new principle in regard of the Jury-laws in Ireland, they ought well to weigh the peculiar difficulties of the administration of justice in that country, otherwise they would be legislating upon the fallacious supposition that England and Ireland were in that respect similarly circumstanced; and he would warn the House that, in the event of the Jury Bill passing into a law, the House would be again called upon to enact coercive measures, similar to those now before the House, for the purpose of correcting the evils which would be sure to arise from it. The twelve Judges in Ireland were unanimously opposed to some of the principles of the proposed measure, and that he trusted would be sufficient to induce the House without his further trespassing on it at that stage of the proceedings to pause in assenting to the Motion. His observations were applicable even to the Bill which passed the House in the last Session; but the alterations now proposed by the hon. and learned Member went far beyond the Bill of last year. Ballotting for Juries in criminal cases formed no part of that measure. He thought with respect to Special Juries, that the hon. and learned Gentleman had gone very far in charging twelve gentlemen with having sworn falsely, and returned a corrupt verdict on political grounds. The hon. and learned Gentleman said, that he knew the fact to be so. He (Mr. Shaw) could not conceive how the hon. and learned Gentleman could possibly have known the fact of his own knowledge, for he was sure that if twelve men of opposite politics had acted so improperly and corruptly, the hon. and learned Gentleman was the last person in whose power they would have placed their characters.

Mr. *Cutlar Fergusson* said, it was perfectly clear that the Crown ought to be limited in its challenge, but it might be right to consider that the Crown ought to have a challenge as large as the other party. An unlimited right of challenge was not a prerogative of the Crown, but only an abuse of the Statute of Edward 1st. He believed all the great constitutional authorities were against the unlimited power of challenging claimed by the Crown.

Colonel *Conolly* deprecated the alteration in the Jury system proposed by the hon. and learned Gentleman. His opinion was, that it would prove most mischievous in its consequences, and he was fortified in that opinion by the sentiments entertained on the subject by the twelve Judges in Ireland. He had had communication with the Judges of one of the Courts, and he felt it his bounden duty to state to the House what were the opinions entertained by those learned functionaries upon the subject, and they were, that the proposed alterations were incompatible with the administration of justice in Ireland. He must beg leave to caution the House against sanctioning so dangerous an innovation as that proposed. He could not agree with the hon. and learned member for Dublin as to the justice of the aspersions cast upon the Sheriffs in Ireland. He had more than once had the honour of filling the office of High Sheriff; and on his own behalf, as well as those of his friends, he must be permitted to repel the calumny with scorn. It was most unjust to hold up to execration men whose characters were as dear to them as the administration of justice could be to others.

Mr. *O'Dwyer* referred to the Commissioners of Legal Inquiry in Ireland, who had reported (and their opinion was recorded in the proceedings of the House), that the office of Sheriff in Ireland was one of the most monstrous corruption and abomination. The evidence taken by this body showed that a Jury in Ireland was to be bought exactly in the same way as a pound of tea, or a yard of cloth were purchased in this country. He maintained boldly, that the system of Special Juries in Dublin had been converted into a mode of living, by needy corporators and their pot companions.

Mr. *O'Connell*, in reply, observed, that while Baron Pennefather was on circuit last year in the county of Clare, he had applied to him to learn if he had any objection to the present Bill; the learned Judge had stated only one objection which regarded Special Juries, and he (Mr. O'Connell) did not believe that he entertained any others. The great object he had in view was, that impartial justice should be done—that Juries in Ireland should be tinged with no colour, whether green or orange.

Colonel *Verner* was opposed to the proposed alterations in the Jury system. He thought the attacks made upon the Juries was most unwarrantable, and related a circumstance in which two cases of murder were tried. In one case, one of the persons accused was a Protestant—in the other a Roman Catholic. The Jury that tried the Protestant was composed of twelve Protestants, and they found him guilty, and he was executed. The Jury that tried the Roman Catholic was composed of eleven Protestants and one Roman Catholic. The eleven Protestants were for finding the prisoner guilty, but the Roman Catholic held out, and the Jury were discharged without agreeing to a verdict. At the next Assizes, the prisoner was again tried, and found guilty, and executed. The widow of the murdered man was the principal witness, and was obliged to be kept in gaol, lest she should be murdered; she was, however, subsequently obliged to leave the country.

Mr. *O'Connell* regretted, that the hon. and gallant Member was not in the House when he made his statement. If the hon. and gallant Member had been present, he would have found that there was no Popery in the Bill.

Leave given.

MASTER OF THE REPORTS OFFICE.] Mr. *Hume* wished to know from the noble Lord (Lord Althorp) whether any step had been taken with respect to the office of master of the Reports in Chancery?

Lord *Althorp* said, that, in reply to the question put by the hon. Gentleman, he would state the whole of the facts of the case. Upon the office of Master of the Reports becoming vacant the senior registrar claimed the office as a matter of right. The Lord Chancellor thought differently. Upon inquiry, however, it appeared to have been the regular practice of the chief registrar to succeed to the office, and, therefore, the Lord Chancellor gave way. His noble friend, however, stated to the then chief registrar that a Bill was in preparation by which the office of Master of the Reports would be abolished, and, that if, with that information before him, the chief registrar chose to take the office, he might have it. The chief registrar, under these circumstances accepted the office. It had been attempted on the death of the late Master, Mr. Weeks, to do without filling up the office at all. That, however, had been found to be impossible without other arrangements; for, at present, the Accountant General of the Court of Chancery could pay no money whatever without the order of the Master. The matter then stood thus:—A person had been appointed to the office with a knowledge on his part that it was to be abolished, and a Bill was preparing for that purpose, and would be ready in a few days. The case, however, of the person who had accepted the office was a peculiar one. The office of chief registrar had been filled as a matter of course by the second registrar. The office of chief registrar was a laborious one, while that of Master gave its possessor little to do. Now, if the office of Master was abolished, the present possessor of it would have nothing, unless provided for, and, therefore, it was intended that he should have a retiring allowance. [*Hear hear.*] He perfectly well understood that cheer, but he thought the course proposed only proper. The present Master had been forty-seven years in the public service; and he might, considering his state of health, had he been so disposed, have retired two years ago on the retiring allowance apportioned for a service of forty-five years. He, therefore, could not think, that there would be any extravagance in allowing him now a retiring allowance. The public would certainly not be losers by the arrangement. An office worth 4,000*l.* or 5,000*l.* a-year, would be abolished, and a retiring allowance would be given to a person who had been in the public service forty-seven years.

Mr. *Robinson* said, he hoped to see these offices abolished altogether.

REDUCTION OF PUBLIC SALARIES.] Mr. *Hudson* rose to bring forward his Motion, to obtain from the House an expression of the general conviction that there was a necessity for reducing the amount of the salaries, superannuation, and other retired allowances at present paid to public servants. In examining the accounts of the income and expenditure of the United Kingdom, for the year ending January, 1832, he had found charges to the amount of 10,000,000*l.*, for salaries, pay, and wages, all of which must have been fixed upon one or other of these principles—either by comparing the sums given to persons in the public service with the income of certain classes of the community; or the sums were considered a fair remuneration for time, skill and labour; or they were fixed, because below them persons could not be procured to perform the duties of the situation; and upon whichever of these principles they might have been fixed, it was manifest that great deductions might now be justly and fairly made, inasmuch as the incomes of all other classes of the community, the rewards of time, skill, and labour, and the cost of all the necessaries and conveniences of life, had been greatly reduced. It was notorious, that the rent of land; the profits of capital lent out at interest; the gains of farmers and tradesmen; the salaries of clerks, and the wages of mechanics, operatives, and labourers of all descriptions, had been progressively declining for many years, and particularly since the year 1825; and under such circumstances, there could be nothing unjust or unreasonable in reducing the salaries of persons in the public service, in proportion to the income of the other classes. The incomes of the receivers ought to be reduced equally with the incomes of the payers of the public taxes. There were charges to the amount of about 6,000,000*l.* for retired allowances, half-pay, and pensions, which were fixed at certain proportions of the full pay or salary, or at sums which were considered necessary to enable the persons receiving them to live in a certain style, or manner, or class of society; and if salaries were reduced, and if the incomes of all other classes of the community and the cost of all the necessaries and conveniences of life were reduced, surely it would be just to reduce retired allowances and pensions. He was aware, that the reductions he proposed would inconvenience the parties upon whom they would operate, but he was not aware of any reason why they should be exempted from such inconveniences, whilst the rest of the community were subjected to it. To sympathize with placemen and pensioners only—to give to them a monopoly of pity and protection—would be most unbecoming and most prejudicial to the character of that House. He was aware, that in the year 1822, reductions were made in the salaries of the civil servants of the State, but since that time, the issue and circulation of paper notes under 5*l.* had been prohibited, and salaries and retired allowances which might have then been suitable, would not be so now. Besides those reductions were not made to anything like the extent they ought to have been; they did not, in any case, exceed 12½ per cent. The Secretaries of the Treasury were reduced from 4,000*l.* to 3,500*l.* a-year, whereas the reduction ought to have been to 2,000*l.*, and their salaries ought not now to exceed 1,500*l.* a-year. High salaries and superannuation allowances were bad in principle. They induced habits of expense incompatible with habits of business and application to the duties of office. Great expectations were entertained, that the Reformed House of Commons would greatly reduce the expenditure of the country, and relieve the people from some of the taxes with which they were so grievously burthened, and not to do so would betray great insensibility to the opinions, wants, and wishes of the people. The most rigid economy, the most sweeping retrenchments, had become absolutely necessary. The charges for salaries, pay, wages, fees, retired allowances, half-pay, and pensions, amounted to about 16,000,000*l.* annually; from which deductions to the amount of 2,500,000*l.*, might and ought to be made, without taking into consideration any reduction in the number of persons employed. With this view, he should beg leave to move the following resolution:—"That it is just and necessary, that all salaries, pay, poundage, and wages, as also all superannuation and retired allowances, half-pay and pensions, paid out of the public money, should be reduced ten per cent if they do not exceed the sum of 1,000*l.* a-year; fifteen per cent, if they exceed 1,000*l.*, and do not exceed 2,000*l.* a-year; twenty per cent if they exceed 2,000*l.*, and do not exceed 4,000*l.* a-year, and twenty-five per cent, if they exceed 4,000*l.* a-year;—exceptions being made in favour of such as may have been reduced to the before-mentioned extent since the year 1828, and in favour of all superannuation and retired allowances, half-pay, and pensions, which may not exceed the sum of 1,000*l.* a-year."

Mr. *Thomas Attwood* felt it to be his imperative duty to second the motion of the hon. Member. He was perfectly well aware, that the Gentlemen who would be affected by the reductions proposed by the hon. Member could ill afford to submit to those reductions in their incomes; but he was also well aware that every one of the industrious working classes throughout the Kingdom had, for the last seven years, been obliged to submit to much larger and severer reductions in their incomes. He was well aware that the agricultural classes—the farmers—had been under the necessity, for years, of submitting to the annihilation of their whole income, and that they were only enabled to get anything from their land in cases where they were contented to break up their land and force crops year after year, to the ultimate impoverishment and ruin of their farms. He was well aware, also, that the manufacturing classes had for years lost all hope of obtaining any income from their invested capital, and that they had been living on the principal, which was gradually diminishing to nothing. He was also aware that all the working classes had, for the last seven years, existed, it might almost be said, without any income; and it was now high time that the unproductive classes should be called upon to share in the burthens which the general depression had thrown hitherto altogether upon the industrious and productive portion of the population. It was now also high time that the military, whom, he must be allowed to say, he honoured for the services they had rendered, should also be called upon to submit to the general reduction, and that the pay, which had been raised from 6*d.* to 13½*d* a day, in consequenee of the rise in prices, should be again brought to its former level. He did not grudge the soldier his pay, but he must say, that it was not fair to continue the military at the full rate of the war pay, whilst the pay of the agricultural labourers throughout the kingdom had been reduced two-thirds of its former amount. He was sorry to call the attention of the House to these painful facts, but he only did so in order that they might not incur the risk of having them forced on their attention in another and more disagreeable manner.

The *Speaker* having put the question,

Mr. *Hume* said, that nothing was more important than that the services of the public functionaries should be remunerated in a manner adequate to the duties required of them. The object aimed at by the present motion of the hon. Member was first brought before the notice of that House in the year 1822, by himself, and subsequently by the right hon. Baronet the first Lord of the Admiralty. He had confined his motion, in the first instance, to the expression, on the part of that House, of the necessity for reducing the salaries of public servants, so as more nearly to approximate to the increased value which they had derived from the change in the currency, and thus bring them nearer to their former standard. The noble Lord, the Chancellor of the Exchequer, supported his proposition, and the House, agreed to the appointment of a Committee to inquire into the necessity for revising the whole range of the salaries of the civil officers of the country; and the result of their labours was to be found in three volumes of reports, containing the particulars of the reductions in salaries, which were recommended by them, but which, however, were not carried into effect to the extent there proposed. Now he must in candour admit that, on looking over the returns of public salaries on the Table, he found that, although the smaller salaries of 200*l.*, 300*l.*, and 400*l.* had been too much looked after, to the neglect of the larger salaries, yet that some of the salaries of 1,500*l.* and 2,000*l.* had been reduced one half, and others of 3,000*l*, and 4,000*l*. had been abolished altogether. He must therefore say, that it would be impossible for the Government to adopt the rule for effecting these reductions which was now proposed by his hon. friend. He thought it would be more advisable to adopt the principle laid down by the former Committee on this subject—that, namely, of reducing to their former level all the salaries which had been raised to meet the extraordinary rise in prices and depreciation of the currency which occurred more than twenty years ago, and which formed the principal excuse for the conduct of Mr. Pitt in 1808, and of Mr. Addington in 1811, both of which Ministers had come down to the House with proposals to increase the salaries of public officers, on account of the increased demand upon them, occasioned by the rise in the prices of provisions. And as the salaries of public officers had been increased solely on that account, and of the depreciated state of the currency, he must say, that it was but fair, now the currency was again raised to its equal standard, to lower the salaries in the same proportion. The Treasury had done this to a certain extent, but it could only be effectually and satisfactorily carried into execution by means of a Committee of that House. He had chiefly risen to say, that he could not concur in the principle of the motion, and if the hon. Member would read the third Report of the Finance Committee on public Salaries, he would find it laid down as a primary principle—and the noble Lord opposite was a Member of that Committee—that no public officer should be paid more for his services than was an adequate remuneration, nor more than the services of any other person could be obtained for. There was also an important observation contained in the Report—namely, that the scale of remuneration in all the public departments, compared with the remuneration of private services, with equal responsibility and labour, so greatly preponderated in favour of the former, as to cause it to be extremely and unnecessarily burthensome to the public. The retiring pensions and allowances were a greater abuse than the high salaries; they ought to be abolished altogether: and one of the first duties of any Committee ought to be, to overhaul those allowances with that view. He need only state one fact to prove his assertion—namely, that the retired allowances from the War Office amounted to 25,000*l*. a-year, which was as much as was paid for the execution of all the laborious duties of the officers in that establishment.

Mr. *Richards* confided entirely in the honesty and good intentions of the noble Lord on the Treasury Bench, for, in his opinion, the country had not possessed a better set of Ministers for the last century. If the Government, however, were determined to go on a low level of currency, it must not only agree to the reductions in the public salaries which had been pointed out, but it must effect a much larger, and more extensive saving. He had had considerable experience, and knew accurately what was the present state of the industrious classes, and he must declare it to be his opinion, that the whole of them were, not only head-sick, but heart-faint. Not a single branch of trade or manufacture could be mentioned which was in a flourishing condition; and, notwithstanding the official statements which were from time to time adduced to the House by the right hon. member for Manchester, in order to prove the flourishing state of the manufacturing classes, he must observe, that the right hon. Member only showed one side of the matter, and that was a fallacious one. He produced a large multiplicand, but the multiplier or rate of profit was very low. The wages of all the labouring classes were so low, that, if it were not for the Poor-rates, they would long ago have seen the industrious classes of England in the lamentable condition to which those classes were reduced in Ireland, the result of which would be, that the whole civil society of the kingdom would be broken up. The Poor-rate, by which the labouring classes were now partly supported, were pulling down the middle orders to the level of the labourers, and, though these classes were loyal to the Throne, and preferred the government of St. James's to that of St. Giles's, yet, it must be obvious, that if they did not give the labouring classes larger means of existence than they now had, their loyalty could not last much longer. The alteration which the Bill of the right hon. Baronet, the member for Tamworth, had effected in the value of money, operated not less than to the extent of thirty-three and a half per cent upon the currency. It had been foretold by many, and amongst others by himself, that the result of that Bill would be the depression of the value of labour. The right hon. member for Tamworth, however, possessed so completely the confidence of the House at that period, that he was able to carry all his plans into effect; but, notwithstanding he admired the eloquence so often dipslayed by that right hon. Member, he could not help observing that no man had committed more blunders. He hoped, however, that the right hon. Member would condescend, in future, when discussing the currency question, to talk in a plain manner to plain people. He supported the Motion, and as long as the present low prices continued, he would support every measure which tended to level the income of the public servants of the country to those prices.

Lord *Althorp* had decided objections to this Motion. The hon. Member had asked him whether the Government had been recently applying itself to the reduction of expenditure. To that he would answer, that the first step which the Ministers took after they came into office, was to place their own salaries under the consideration of a Committee. That Committee made several recommendations, which the Government adopted, and their salaries were in consequence reduced. The members of the Government had commenced the task of reduction with their own salaries, in order that they might have a right to call upon their subordinate officers to submit to similar reductions. He certainly thought that the Government ought to be served as cheaply as possible. The scale of salary should be framed on the principle of the sum calculated to secure a fit and efficient person for the office. He was aware that the salaries of persons employed by the Government were higher than the salaries of persons employed by private individuals, but they were not higher than those of persons employed by public companies. He believed that the salaries paid by the East-India Company, and by the Insurance Companies, were to the full as high as those paid by the Government. Their superannuations were, he believed, still higher. It was known, that in the Government offices, the plan adopted with regard to superannuations rested upon the deduction of a certain sum annually from the salary, to secure a fund for the future support of the holders of office. A report had been made to the Government of the amount of income enjoyed by members of the different Revenue Boards, with the intention of seeing what reduction, if any, could be made in their salaries. As to the Customs, a report had been made recommending that, in future, the salaries should be reduced in that department. He felt that, having once recognized the principle of reducing the salaries of the holders of offices to the scale of duty performed in those offices, it was necessary to consider whether it should be applied immediately in general, or should be postponed till after the lives of the present holders. He was originally of opinion that the first plan was the more advisable, but, on consideration, he thought it better to postpone the application of the rule, as Government would be compelled, if it adopted the rule, to work with unwilling, rather than with willing servants, and that, he was convinced, would be a false and profitless economy. Such being the case, he had abandoned his project of applying his rule immediately. One word with respect to superannuations. It had been found, that in many cases the reduction of a number of offices had led to a great increase in the number of superannuations. He was inclined to think, that where a person was in possession of an unnecessary office, it was better to reduce the office, and give him superannuation, than to continue him in an office which might acquire a claim to be preserved from the mere fact of its being long in existence. Acting upon this principle, Government had reduced three Commissioners of the Customs. In the Excise they had also reduced three Commissioners; and they had decided not to fill up the Commissionership which Lord Seymour had resigned, and another which it was expected would be vacant in a very short time. When this was done, they would have reduced no less than five Commissionerships in the Excise. The House was no doubt aware of the inquiries which were made into the state of the different departments of the revenue by a Commission of which Lord Wallace had been at the head, and that a great deal of good had resulted from that Commission. The present Government, acting on that principle, had determined to appoint a Commission to look into the Board of Excise, and the Gentleman who had undertaken the office of presiding over it, was his right hon. friend, Sir Henry Parnell, with whose qualifications for the office the whole country must be satisfied. He thought that a considerable number of offices might be reduced, and a great saving thus made for the public. Another considerable saving might be made by the consolidation of two or more of the public Boards. It was at present under the consideration of Government whether the Board of Stamps and the Board of

Taxes might not be consolidated, and whether the duty of the two departments might not be performed by one Board. If this could be effected, a considerable saving would be made by the reduction of several officers now employed in the collection of taxes, and by a great reduction in the number of Commissioners of both Boards. He could assure the House that all these matters would be carefully considered, and that no views of patronage would prevent Ministers from making all possible reduction which should take effect immediately, and not like some former reductions, which, though agreed upon at the moment, were not to take effect till a future period, and when that period arrived, the principle of the reduction was almost forgotten. It was on these grounds that Ministers were determined to proceed, and he hoped that they would give satisfaction to the House. Under these circumstances, he hoped the hon. Member would not press his Motion. It would be impossible to accede to it in the way in which he had put it. A great object with Government was to see how the public business could be done with as great economy as possible, but at the same time giving to those employed in the public service such remuneration as would ensure the business being done in the best manner, and take from the persons so employed the temptation of defrauding the revenue. It would be a very ill-judged economy to keep those employed in the service of the public at such small salaries as would expose them to the temptation of acting dishonestly or carelessly. He again hoped that the hon. Member would not press his Motion. He could not consent to it in its present form, yet he was unwilling to divide against it, as it might give rise to an erroneous opinion respecting the conduct and views of the Government.

Mr. *Robinson* concurred with the noble Lord in the hope that the Motion would be withdrawn, for he was convinced that the reduction which it contemplated would operate very unequally in many instances. He was willing to give the noble Lord and his colleagues credit for desiring to effect reductions in the public service, but he was convinced that it would be useless to attempt any real economy unless the right of superannuation and to obtain civil pensions was altogether done away with. Consolidation might do much in obtaining the proposed end, but there would be no practical economy until the lavish system by which men, after a few years service in a public capacity, were empowered to retire from office with nearly the whole amount of their salaries, was abolished. Why, he begged to ask, should not those engaged in the service of the public be expected, like persons employed in merchants' offices and public companies, to provide for their declining years? Some of the cases of superannuation which had lately occurred were of the grossest character, and certainly argued anything but a disposition in the Administration of the day to meet the distressed condition of the people. He might, for instance, mention one case where a gentleman, who, for twenty-three years had been receiving 1,400*l.* a-year as a Commissioner of the Customs, had been superannuated on the ground of deafness, although it was said he was as deaf when he first came to the office. He was at the present moment receiving 1,200*l.* a-year as a civil pension, although possessed of a private property of 10,000*l.* a-year. Now, did not, he asked, such a case, in the present distressed condition of the country, betray anything but a proper regard for the public purse? What he thought most objectionable in the system of superannuation was, the right which was assumed of retiring after a few years upon a pension nearly equal to the salary. He was as willing as any man could be, that in cases where public officers became worn out with service, and were not in possession of adequate private means to support them in their declining years, that Government should be vested with the power of granting civil pensions, and he was confident the House would always sanction them; but he was strongly opposed to the principle of right to superannuation, which was in all cases at present assumed. With regard to the observations of the noble Lord respecting the rate at which the East-India Company remunerated their officers, he wished to observe, that a general system of reduction was in active operation by the Company, in order to meet its depressed condition. If, however, the East-India Company's civil officers were more highly remunerated than those of Government, it was to be considered that in return those officers discharged their duties as efficiently as it was possible to have them discharged. The principal fault of Government officers was, that, although well paid, they were in many instances inefficient, being generally selected more from patronage than merit. Indeed, while on the subject, he wished to put it to the noble

Lord and his colleagues, whether or not, while the general circumstances of the country were obliging individuals of the highest talent and ability to accept employment in private offices at salaries far inadequate to their talents and the services they were capable of discharging, they ought not to avail themselves of the opportunity of supplying the public service with efficient men, and thus save the necessity of holding out the inducement of the enormous salaries which were paid at present, and had been for many years past.

Mr. *Cobbett* said, that he had but one observation to make upon the question before the House. The present discussion had convinced him more than ever of the natural dislike the Whigs had to lie three in a bed. But whenever they made room, it was for their own convenience, and not for that of others. Yes, what he had to complain of was, that many persons had been turned out of their employment by the Whigs, for no other purpose than that the Whigs might get some of themselves in. ["Name!"] Well, since the House was so very eager to have names—since they pressed him so hotly to give a name—he would give one, which would be a proof of the correctness of his charge against the Whigs. They had turned out Sir Charles Saxton, Commissioner of the Plymouth Dock-yard, in order to put in his stead Sir George Grey, one of themselves. The fact was related to him by Sir Charles Saxton, who besides stated that he was still able to perform the duties of his office. The Whigs turned him out, notwithstanding, giving him a retiring pension of 800*l.* a-year after they had done so.

Mr. *Vernon Smith* begged to state, in reply to what fell from the hon. member for Worcester about the deaf Commissioner of the Customs, whom the hon. Member mentioned as if his deafness was feigned, though, in truth, he had been deaf all his life, and who was stated to be put on the Superannuated List at 1,200*l.* a-year; he begged to state, with respect to the pension, that the Government had proceeded according to the limits marked out in the Superannuation Act. Not only in the present instance had they acted according to the principles of that Bill, but they had always acted in accordance with it. As to what was said about private fortune, Government could not take that into consideration. All it had to consider was, the service done to the public. With respect to the high salaries paid to officers in the East-India Company's service, the Company thought it necessary, in order to insure efficient persons; and when Government required good public servants, they should put them on the same footing, and the same principles should regulate Government officers. With respect to paying those pensions from funds, subscribed to by the officers, or by stopping a portion of their salaries for that purpose, the plan had been adopted; but, after trial, it was found necessary to abandon it.

Mr. *Cutlar Fergusson* said, that those who were acquainted with the duties which many of the persons employed in the service of the East-India Company had to perform, would not feel any surprise that their remuneration was ample. It was seen by the manner of some of them, who had occasion to come before Committees of the House, that they were men qualified to fill the highest places. The business of the company was performed in the ablest manner, and with unexampled integrity. Indeed, some of the persons employed by the company at home, had to discharge duties as great as belonged to the departments of some of the hon. Gentlemen on the Treasury bench near him. Some of them had to carry on various correspondence on the great interests of our vast empire in India, which they performed in a manner in the highest degree creditable to their ability and fidelity. He would say a word upon superannuation. That was the great question—that was a matter which weighed down the country, and which he thought, as far as it was a superannuation depending on a scale of years, ought to be put down. When the Government wanted persons to fill certain situations, it ought to inquire whether it could not get men equally qualified for them without any expectation of a retiring allowance. If they could get such men, he did not see why they should not prefer them, and thus save the vast sums which the country now paid in retiring allowances. The case would be different if they had to make the selection from a small number of qualified persons, or if the persons employed, such as a barrister, had given up his profession for the appointment; but here it was otherwise; and when they had to choose out of a large body of qualified men, they ought to make the selection of those who might be willing to take the appointment without any hope of a superannuation allowance. He did not approve of a deduction from salaries to make a superannuation fund; for if that were done, it would be an admission that they were paid more than they were entitled to as mere salary. He would let the provision for retirement rest with their own prudence, as it did in the cases of persons employed by other public bodies. He remembered the case of a captain in the navy claiming compensation on retirement from a place which he held, on the ground that he had relinquished his profession for it. That was fair enough on the part of the captain, but Government should not have filled up the appointment by a captain in the navy, when they might have got another person equally well qualified, who, on retirement, could make no such claim.

Mr. *John Fielden* wished that Government, in considering the question of salaries and superannuation allowances, would also take into consideration the changes which had taken place within these few years in the payment of the wages of labour. He would put the House in possession of a few facts on this subject, which would show how much the wages of labour had fallen off within a few years. The statement was made out from his own books. In the year 1814, the price which he paid for weaving a piece of cloth—a sort of calico—well known in the markets of Manchester, by the name of "third-seventy-fours," was 8*s*. The price was gradually reduced till the year 1816, when it came to 2*s*. 6*d*. the piece. In 1817 it came again to 2*s*. 6*d*., 2*s*. 9*d*. and 3*s*., and afterwards to 3*s*. 6*d*. In 1818 it rose again to 4*s*. In February, 1819, it fell to 3*s*. 9*d*., and continued to descend till December in the same year, when it came to 2*s*. 6*d*. In October 1820, it came again from 2*s*. 6*d*. to 2*s*. 9*d*. and 3*s*. In October, 1821, to 3*s*. and 3*s*. 3*d*. In January, 1822, it fell again to 2*s*. 9*d*., and remained nearly stationary till May, 1823, when it fell again to 2*s*. 6*d*., at which it remained till the end of 1825, when it fell to 2*s*. In 1826 it fell to 1*s*. 9*d*. In August of that year it became as low as 1*s*. 6*d*. In the early part of 1827 it fell to 1*s*. 3*d*.; in May of that year it rose to 1*s*. 6*d*., in June to 1*s*. 9*d*., in August to 2*s*. In February, 1828, it was still at 2*s*.; but in May, 1829, it came as low as 1*s*. 1½*d*., and from that time to the present the average was about 1*s*. 3*d*. The present price was 1*s*. 3*d*. He hoped the noble Lord would consider these facts. But let it not be supposed, that these great reductions of the wages of labour gave a proportionate increase to the profits of the employer. No such thing. At the very lowest rate of wages he gave the weaver as great a proportion of the price of the whole piece as he did at the highest. In every case he gave him the fourth of the price which the piece fetched. It might be asked why he made such reductions? He would answer, that he was compelled to make them by circumstances over which he had no control. He had always been the advocate for the poor. He had done as much to serve the poor as any other man, consistently with his limited means. He sat there as the Representative of the poor. How did this bear on the question before the House? He maintained, that it did bear upon it. When hon. Members talked of superannuation allowances to men holding good appointments, he would beg of them to consider the condition of these poor weavers. With hard and continued work, few, if any of them were able to earn more than 6*s*. per week. What, he would ask, was that sum to a man who had to support a wife and a couple of children? What would any man in that House think if he were obliged to try and support himself and a small family upon that sum? Hon. Members should take these circumstances into account when they talked of settling the question of superannuation allowances. What, he would ask, was to become of his poor weavers when they were no longer able to work? He could not pension them off, he had not the means of doing so. They must go to the parish or starve; and yet they were the King's subjects, and as much entitled to protection as those individuals to whom hon. Gentlemen talked of giving retiring allowances on their giving up lucrative appointments. He would tell the noble Lord and his colleagues, that unless some means were devised of giving the poor more food and more clothing for their labour, they would not be able to keep the country quiet for any length of time. The people, however, were now perfectly quiet, as they had the greatest confidence in a Reformed Parliament, and the highest expectations that it would devise some means for their speedy relief.

Mr. *John Stanley* observed, that the House heard night after night such statements as that which had been made by the hon. Member who had just sat down, but he could assure them, that they did not contain an accurate description of the condition of the working classes in the manufacturing districts. The reductions to which the hon. Member had just alluded must have been caused by the power-looms. He could state, that in a district with which he was acquainted, the average earnings of about 1,400 men, women, and children was about 10*s*. a week each.

Mr. *Wynn Ellis* said, that this was incorrect. There were no persons employed in any branch of the cotton-trade who had such earnings.

Mr. *John Stanley* repeated the statement. The 10*s*. a-week included the sums earned by women and children, for the earnings of the men were about 30*s*. a week; and he could add, that a more contented population did not exist than that of the district to which he alluded.

Mr. *Wynn Ellis* could assure the House, that the picture given by the hon. Member who had just sat down was altogether overcharged as to the wages of the manufacturers; he, at least, was not aware of any place in which such wages were given. In the town (Leicester) which he had the honour to represent, the children did not at the most earn more than 5*s*. or 6*s*. a week. Perhaps 5*s*. was about the average, and of this they had to pay 1*s*. a week for the use of a loom. He would admit, that the people had great confidence in a Reformed Parliament, to relieve them from their distress, and he hoped, that that confidence would not be misplaced. He hoped that Government would take some steps to relieve the people from their present great difficulties. In conclusion, he must repeat, that the account given by the hon. Member who last addressed the House as to the amount of the earnings of the weavers was not correct. Few men with sixteen hours of labour earned more than 6*s*. per week, and there were few families whose united earnings came to more than 9*s*. per week.

Mr. *Gillon* considered, that this last statement did not fall short of the truth, as in his part of Scotland, the best hands, working sixteen hours a day, did not earn more than 6*s*. 9*d*. a week, and taking from that certain necessary deductions, their average weekly earnings might be safely put down as not more than 5*s*. 4*d*. Ordinary hands did not earn more than 4*s*. a week. He considered this peculiarly hard upon the workmen in his district, who had been formerly in respectable circumstances. In good times they had saved money, and in their prosperity endeavoured to provide for the evil day. Whatever money they had saved was spent long since, and they were, through the badness of the present times, obliged to dispose of whatever little property they had collected. Something ought immediately to be done to reduce the expenditure of the Government, or no man could answer for the tranquillity of the country. It was quite necessary that pensions and superannuations should be reduced to meet the circumstances of the revenue, and to accede to the wishes of the people.

Mr. *Marshall*, knowing the state of trade in the districts to which he belonged, could say, that wages were generally on the rise. Children, at a very early age, got 3*s*. a week, and the wages increased according to their age, from that sum to 6*s*., 8*s*. and 9*s*,; and able workmen received as much as 15*s*. or 16*s*. a week. A girl of eighteen years of age could earn 8*s*., and a lad of sixteen years of age 7*s*. a week.

Mr. *Brocklehurst* having heard the statements of wages so highly rated in several districts, I should not be doing my duty to my constituency, and the dense population by which they are surrounded, did I not attempt to set the House right as regards the great depreciation of wages that have occurred in my own neighbourhood. The earnings were—

	Of Men	Young Men	Women	Children	Children under 10 yrs.
In 1824	18*s*. 0*d*.	14*s*. 0*d*.	12*s*. 0*d*.	7*s*. 6*d*.	3*s*. 6*d*.
In 1828	8*s*. 6*d*.	7*s*. 3*d*.	6*s*. 0*d*.	3*s*. 6*d*.	1*s*. 9*d*.
In 1832	4*s*. 7*d*.	4*s*. 0*d*.	3*s*. 1*d*.	2*s*. 0*d*.	1*s*. 0*d*.

It is intended to legislate as to the employment of those younger children; but great difficulty will arise as to families where there may be seven or eight young children, by interfering with their scanty earnings, unless means be devised for the heads of families gaining better wages. The rate of wages and distress in Ireland having been referred to, and having some knowledge of the state of Dublin, I beg to call the attention of the House, and also that of the Members for Ireland in particular, to evidence given last year by Mr. Jonathan Sisson before a Select Committee on the silk trade, that in 1824 there were 2,200 looms employed in manufacturing silk, and, at the common computation of five persons occupied indirectly by each loom, there would be 11,000 persons so employed; but in 1832 there were only 153 looms at work, employing 750;—thus 10,000 people have been thrown out of employment from this circumstance. It may be seen, that great distress prevails also in that country, and I would call upon the Irish Members to turn their attention to matters of this kind, rather than endlessly occupy the time of the House by political discussions of subjects that only continue agitation. They can never hope to see prosperity restored to that country until tranquillity be established, and capital once more have a chance of coming into operation; and I trust that, by establishing tranquillity, measures of amelioration can then be brought forward with a view to the relieving both countries. As it is, no real business can be proceeded with; and hearing last night a reference to the absence of young Members, I beg to say, as far as my knowledge of the House goes, the majority consisted of young Members anxious to discharge their duty, but for these long and useless debates; and if ever I hear young Members so reflected upon I shall move, that the House be counted. I must apologise for detaining the House upon the latter subject; the former one, as regards the distress of the country, needs none; it is of too great importance not to press itself upon public attention, and it will do that in a more serious way, I fear, ere long.

Mr. *John Maxwell* wished to recall the attention of the House to the question really before it. It should be observed, that the salaries of Ministers, and of other public functionaries had been raised in consequence of the depressed value of the currency. This point had frequently been alluded to by different Gentlemen; and he was sorry to say, that it had never received the smallest attention. It did not, at all events, receive that attention which a subject of the greatest possible interest ought to command. So long as that fact was kept out of the view of the public—so long as they were inattentive to that great question, which he was glad to perceive would soon be brought before the House—so long would they proceed in a mistaken course. They ought to bear in mind what had taken place in this country during the depreciation of the currency. They had now, fortunately, an opportunity of looking to the overpaid salaries of public officers, and also to the underpaid wages of that part of the community on whom the prosperity of the State depended. He said this, because by them public credit was supported; from them the Treasury received the Malt-tax, the duties on sugar, on soap, and on all those great articles of consumption, the imports on which were as necessary to the exigencies of the State, as the commodities were necessary to supply the wants of the community at large. He hoped that the question of wages would be more and more, made the subject of discussion in that House; and he trusted, that those Gentlemen who really had the welfare of the country at heart, whether they sat on that side, or the other side of the House, would warn Ministers of the necessity of attending to the wants of the people. They must have high wages and profits, or low taxes. The people ought not to be driven to despair—they ought not to be prevented from supporting and sustaining the credit of the country, by becoming the consumers of those articles, the duties on which were as necessary to the support of the State, as the articles themselves were necessary to the comfort of those by whom they were purchased.

Mr. *Robert Stewart* said, that English Members complained of the time taken up in the discussion of Irish affairs; but if such declamatory speeches were persisted in as they had heard that night, Irish Members would have to complain of the time taken up in the discussion of English affairs. With regard to the matter in question, he was of opinion, that such wholesale Motions as that made by the hon. member for Evesham, instead of forwarding the object which hon. Members had in view in making them, tended rather to impede and thwart it. He would only bring one or two instances to show the absurdity of such a general Motion. By the hon. Member's Motion, ten per cent was to be taken off the salary of those that had 1,000*l.* That perhaps, might safely be done; but the hon. Member proposed, that ten per cent should likewise be taken off the salary of the clerk who had only 120*l.* a year. Did the hon. Member consider, that in these cases the proportions of reduction were equal? To him the Motion appeared so preposterous, that he should give it his most decided negative. He was surprised, on the former evening, to hear an hon. Member assert, that the present Government had made no reductions, or had no intention to make any. After the statement of the noble Lord (the Chancellor of the Exchequer), he was sure that no person would say, that Ministers had not made every reduction which was consistent with the public service.

Motion negatived.

NEW HOUSE OF COMMONS.] Mr. *Hume* rose to submit to the House the Motion of which he had given notice, for referring to a Select Committee the Report of the Committee of last Session, relative to the propriety of erecting a new House of Commons. He observed, that a gallant Officer, not then a Member of the House, together with many other Members had felt, that it did not afford sufficient accommodation for the Members who were called on to assemble, and that, in consequence, they could not discharge their duties comfortably. A Committee was therefore appointed to inquire whether any and what alterations could be effected, and what improvements could be made in the present House for the due accommodation of the Members. The Report of that Committee would at once show the object which they and he had alke in view. The Committee was occupied for a considerable time in ascertaining whether the House in which they now met could be altered so as to afford the accommodation required, and the evidence which he then held in his hand must satisfy every person, that neither as regarded space, ventilation, and other conveniences, was it possible to make such alterations in the existing House as would meet the object proposed. It was stated, that the length of the chamber might be extended fifteen feet, by which seventy or eighty Members would be accommodated, but that there was no mode of increasing its width. From the evidence of Sir Geoffry Wyatville, it would appear that the House was only thirty-three feet in width, by forty-nine in length; and that as to accommodation, it could not fairly hold much more than one-half of the Members. It seemed that 348 individuals, not including those in the strangers' gallery, might be inconveniently crowded together. But, if the seats were placed at such a distance as to enable Gentlemen to pass each other easily (which it was impossible for ordinary-sized men to do at present) then, it was stated, that only 294 persons could sit comfortably. In no place where such important business was transacted was the accommodation so exceedingly bad. On this point he would refer to the experience of every Member who recollected what passed a few nights ago. On that occasion every seat below the gallery was quite full, and yet only 366 Members had anything like accommodation. The space between the seats under the gallery were only one-half the ordinary width, so that it was almost impossible to pass. The Members were, in fact, wedged in, almost like herrings in a barrel. It was a shame that the business of this great country should be transacted in a situation so extremely uncomfortable. Men who were attending to their duties for twelve or fourteen hours in that House ought to be assisted with every possible accommodation. He could state, from his own observation, that several Members had fallen sacrifices to the discharge of their duties in that inconvenient and ill-ventilated place. He believed the ablest men in England, though they had failed in effecting the object, had been employed to ventilate and purify that House thoroughly. The Committee to whom this subject had been referred came to an almost unanimous resolution; the Chairman alone, he believed, remained of a different opinion. They resolved, first "That it is the opinion of this Committee, that the present House of Commons does not afford adequate accommodation for the Members." He believed, that scarcely one dissentient voice could be found opposed to this resolution [*No, no.*]. If there were any Gentlemen who dissented from it, certainly their ideas of accommodation were different from his. The second Resolution was, "That no such accommodation or improvement as the necessity of the case called for could be made in the present House of Commons for the general convenience of the Members." Looking to the situation in which they were at present placed, he calculated that they lost from twenty to forty minutes in pursuing the old practice of dividing, which rendered it necessary for one party to go into the lobby. It was frequently with the greatest difficulty, and sometimes not without using gentle force, that the Members were got out. If they continued the rule of sending out the minority, in which number, he feared, he should be generally found, the consequence would still be, that individuals who came early would be deprived of their seats, on important occasions, and others who had not so attended would take possession of them. In the case of private bills, he had known men to sit and vote contrary to their inclinations rather than run the risk of losing their seats by going out. He had known Members to have remained fast asleep in their places, and to have been counted as supporting the very Motion to which they were opposed. If on divisions they could save half an hour it would be a matter of very considerable importance, pressed as they were with a variety of business. Now, with respect to building a new House, he understood that the expense would not be 20,000*l.* more than would be required for altering the old. Three ideas were thrown out on this subject. One was, to extend the

House by taking in the lobby. Next, it was suggested, that it might be enlarged in the direction of Cotton-garden, where the house of Mr. Ley would afford an excellent site for a building. But they wanted proper ventilation; and in the latter case the air would be obstructed by the House of Lords and the long gallery; that was, therefore, objected to. Finally, it was proposed to build in a direct line between that House and the river. To that proposition he believed there was scarcely a dissenting voice. In England they were very deficient with respect to public buildings; but he could not have a moment's hesitation in saying, that where business of such immense importance was transacted, those by whom it was transacted should be allowed the utmost possible accommodation. Therefore he felt no unwillingness whatever on the score of expense—to him that consideration was a mere bagatelle. Looking to the national expenditure, considering the manner in which the public money was applied, he conceived that the propriety of devoting a sum to the purpose which he had described would not admit of any question. Many Gentlemen, he knew, cherished a strong recollection of events that had passed in that House, and were, in consequence, very anxious that no change should take place. He could readily enter into the feelings of Gentlemen on that point, but, in his opinion, utility was what they ought principally to keep in view, and, on that ground alone, he was anxious to bring this subject forward. There was a part of the House where idlers invariably resorted. In whatever plan might be adopted, he hoped that the inconveniences at present felt would be remedied. However, that would be a subject for future consideration; he did not wish anything to be done hastily. He thought it would be evident to every one, from the few observations he had made, that better accommodation than the House now afforded was necessary. He proposed to move, that the Report of the Select Committee of last Session, for making the House more commodious, be referred to a Select Committee, and that the Committee be instructed to report their observations and opinions thereupon to the House. He believed, that the noble Lord (Lord Althorp) approved of this course. The Committee could call for further information, and have plans and estimates laid before them. There had been a proposition to remove the House to another situation, and he felt satisfied that a better building might be erected elsewhere, but they could not well alter the situation of the Commons without changing that of the Lords at the same time; and as he believed they were not prepared to remove the Lords just yet, it would be better to preserve the present locality of the House of Commons. The hon. Member concluded, by moving for a Committee.

Mr. *Warburton* seconded the Motion, and referred to the evidence of Mr. Smirke, from which it appeared that there was not accommodation for more than 350 Members in the House, deducting the space under the gallery, and allowing two feet by three-and-a-half for each individual. 560 Members divided the other night, and, according to the calculation, 210 of the Members could not have found convenient places. He was aware that some persons thought a space of one foot eight inches by two foot eight inches sufficient for each Member, and upon that supposition the House would accommodate more than 350, but he did not consider the space allowed by Mr. Smirke too much; and it should be borne in mind that Members who frequented the galleries usually required six feet by two rather than three feet by two—a consideration which, if taken into the account, would show that there was not accommodation for more than about 300 Members. He objected to the oblong shape of the House, as inconvenient and every way inferior to a semicircular form, which would admit of a better position for the Speaker than that which he now occupied. "Sir," continued the hon. Member "you have not, like Janus, eyes in the back of your head, and therefore cannot always see in every direction. I say, Sir, you have not eyes in the back of your head, and you cannot see what goes on in that part of the House behind the Chair which is called, I suppose from the superior wisdom of its occupants, Solomon's porch. There, and at the bar, there is frequently the greatest disorder, which might be prevented if you could have your eye on every Member." On these grounds, because of its deficiency of accommodation, inconvenient shape, and bad arrangement, he found fault with the present House. One of the recommendations of the plan held in view for constructing a new House was, that it could be carried on without interrupting any of their proceedings, either in the House or in the Committee-rooms, and it might be completed by the commencement of the next Session.

Lord *Althorp* said, but for the call made by some hon. Members it had been his intention not to speak on this question, which he thought a question for the Members themselves to decide, being altogether one connected with their accommodation and convenience—not a Ministerial one. He certainly could not deny but that when there was a full House, the Members suffered great inconvenience. For himself, he must confess—perhaps it might be the effect of a sort of prejudice—that he should be strongly averse to changing the locality of the House, though he should not object to having alterations made in the present House. However, he had not the slightest objection to refer the matter entirely to the Committee.

Sir *Robert Inglis* thought with the hon. member for Middlesex, that as a matter of pounds, shillings, and pence, there could be no objection to the alteration proposed; the expense would be a mere trifle, supposing a necessity for that alteration; but he did not see that any such necessity existed. He did not, of course, mean to say, that there was sufficient accommodation for such full Houses as assembled the other night; but these only occurred two or three times in the course of a Session; and, therefore, the question amounted to this—was it necessary to build a House large enough to accommodate the whole body of Representatives, who only assembled as a collective body on very extraordinary occasions—some two or three times a year? For the remainder of the year's business this House was better adapted than any building he knew. There were most important matters discussed when only 150 or 200 Members were present, and this number the House could accommodate excellently. The hon. member for Middlesex had founded his calculation upon the whole number of Members returned to this House; but he would ask hon. Gentlemen whether 658 Members had ever met together in this House for the purpose of deliberation? If the hon. member for Middlesex could mention any precedent of ancient or modern times in which 658 Members had ever constituted a deliberative assembly here, he would then enter into the consideration of the change which the hon. Member proposed. But believing, that human nature always would be the same, and that they could not reckon upon having, on ordinary occasions a full House, he did not see that the Motion was necessary. He was sure that they should never find 658 men prepared to deliberate upon every subject—they must rely upon the occasion; many men relinquished their right to speak upon questions in which they were not peculiarly interested or with which they were not intimately connected. He for one would gladly relinquish his right to speak upon many subjects. He could not, either, altogether lose sight of the change of moral feeling, which would be experienced on leaving this House. He was not ashamed to say, that he looked at these walls with reverence; and he believed that the feelings which the associations connected with that House excited in the mind were not without their influence upon the minds of those who entered it for the first time. He believed that every hon. Gentleman must be occasionally actuated by feelings of reverence or sympathy, while sitting within walls which had echoed to the eloquence of some of the greatest and the wisest men who ever dignified a deliberative assembly. He thought that the feelings excited by such recollections, would prevent them from readily accommodating themselves to a House, the idea or notion of which would have been borrowed from the new—and he might add vulgar—legislative assemblies on the other side of the Atlantic. They would not like to convert a forum to which the greatest men who ever lived had imparted a lustre by their presence, and which they had enlightened with their eloquence—into a degraded Council Chamber unworthy of the Legislature of such a country as this. He was he must confess opposed to the Motion. He was quite sure that, after the want of satisfaction which attended the inquiry of former Committees on this subject, they should engage in a very useless inquiry if they consented to the proposition of the hon. member for Middlesex.

Mr. *Trevor* thought, that as all the Representatives of the country ought duly to assemble whenever there was the least question concerning the welfare, the happiness, or the misery of the people, there ought to be a House sufficiently large to contain them. Sir Robert Inglis had stated the number of extraordinarily important occasions for the assembly of the whole House at about three times a Session. He thought there was much more frequent occasion for their meeting. He should, therefore, advocate the erection of another building.

Mr. *Cutlar Fergusson* coincided in opinion with the last speaker. The present building might be large enough for the discussion of Turnpike Bills, Road Bills, and so on. but it most certainly was far from affording adequate accommodation for the reception of that collective body of Representatives whose duty imperatively called upon them to be present at the discussion on every important question. An hon. Baronet (Sir R. Inglis) had seemed to argue that the Representatives of the empire in leaving these sacred walls would leave behind them the inspiration thrown over them by the glorious recollections of the great men who had rendered this pile illustrious by the splendor of their eloquence. This was all very well; and if he (Mr. C. Fergusson) had been happy enough to find that the present Members were rendered one jot greater or more illustrious by the memories of the great men—of the Pyms and the Hampdens—whose presence had dignified this House, then would he be the last man to propose any alteration in locality; but as he had not found this beneficial result, and as he considered the question as a pure matter of accommodation and convenience, he should certainly support the proposed alteration. Some of the Members the other night had been told they must not speak on a question of the utmost importance, because they were not in their places; a great number of hon. Members, according to this rule would nightly be prevented from delivering their sentiments, for in the present building there were no seats for half of them.

Mr. *Philip Howard* said that, with great deference to the hon. member for Middlesex, he did not conceive any benefit would arise from his Motion "for appointing a Committee for considering further of the expediency of building a new House." He had had the honour of a seat in three Parliaments, and had found that on very few occasions had there been any deficiency of accommodation. He confessed the reasons he had heard were insufficient to justify him in supporting the plan for constructing a new House, which would entail a heavy charge on the public. The building in which their deliberations were then held was endeared to the sons of freedom, not less by the triumphs it had witnessed than by the struggles it had seen. It had been argued by the hon. member for Bridport, that every Member should be allowed in the proportion of two feet three inches each, for sitting room, whilst it was well known that in the army each man occupied only eighteen inches. In reference to the feelings of former times, he observed, that the Romans never altered their *Forum Vetus* or *Forum Romanum*, and in that they evinced not less patriotism than sound philosophy. He was not disposed to do away with this unassuming House. He did not use that term as applied to its Members. He objected to pulling down that building hallowed by its recollections for the purpose of erecting in its stead a semicircular theatrical edifice like that proposed. For hearing, and the transaction of business, the House of Commons was preferable to the French Chamber of Deputies. Supposing, however, a new House, constructed on the most approved plan, there was nothing so difficult as to ensure its being a house well adapted to hearing, for there were instances of rooms built exactly on similar plans and proportions, one well fitted for hearing, the other extremely defective; it was a kind of mystery in the science of acoustics; on the whole he conceived the present House to be as well adapted as any which could be devised for the purposes of legislation. The very House, too, showed that theirs was not a Constitution of yesterday. In that Chair, in which they beheld the present able Speaker, the celebrated Sir Thomas More once presided—from that Chair he had nobly maintained the independence and dignity of the Commons against all regal infringements. That day and the day before, which might be termed average houses showed how little call there was for acceding to the views of the hon. member for Middlesex.

Mr. *O'Connell* rose to say one word to the House in sober sadness. He asked the House whether it was not desirable, that whatever was done in that House, the public should be made acquainted with it, in order to know the proceedings of their Representatives? How could that be done if there were not sufficient accommodation for that portion of the public by which alone the whole could learn? It was desirable that accommodation should be given, and not that the communication should be made by stealth. The thing was now done. The public would not suffer that it should be discontinued. If it were a matter of such decided necessity that it could not be discontinued without causing a revolution, should they not provide convenience for those who gave the Debates to the public? He would give such accommodation, if it were only that it might not be said: "The hon. Member was inaudible." If there were no other reason but that, he should say they ought to make sufficient accommodation. He could not carry back his historical recollections of the House so far as some hon. Members, but he thought the hon. Baronet, the member for the University of Oxford, did not carry his far enough back. The hon. Member forgot that the House was called St. Stephen's Chapel, and that at a former period mass was said in it. How could the hon. Member bear a spot which had been consecrated to the worship of the Catholics? However, they had now come to common sense. The question was, was the accommodation sufficient? He cared nothing about Cromwell and Pym having sat in the House; he wanted to know whether the Representatives of the people had a convenient place or not for transacting the public business? He believed not; and there was only one remedy —to send 105 of them back to Ireland.

Captain *Deans Dundas* would never consent to vote away 130,000*l.* of the public money while the people wanted bread. He did not expect that a Motion of such a description would have come from the other side of the House.

Mr. *Maurice O'Connell* reminded the hon. and gallant Gentleman that he had voted away large sums of the public money. [*When?*] The gallant Officer had voted against the motion of the hon. member for Middlesex for the reduction of sinecures.

Captain *Deans Dundas* was happy that he had an opportunity of explaining the vote he gave on that occasion. He had been asked by several of his constituents why he had not voted for Mr. Hume's Motion; and the answer he gave was, that he understood from the hon. member for Tralee, or some other hon. Member who spoke on the same side, that it would be proper to increase the pay of the officers of the Army and Navy. He belonged to the latter; and being persuaded that the officers of the Navy, to which he belonged, should be paid as they now are, he had voted against the Motion.

Question agreed to, and Committee appointed.

DISTRIBUTION OF THE ARMY.] Mr. *Hume* rose to ask the House for some information on a subject of considerable importance, in relation to a question that would come before them in a few days. He wished to know how the troops were distributed before voting the Estimates. Such a Return was laid before the House last year, and he did not know why there should now be an objection to his Motion. The hon. Member moved for an account of the distribution of the military force in Great Britain and Ireland, and in each of the Colonies in the year 1833.

Lord *Althorp* hoped that the House would give him credit for being always ready to give every species of information required, whenever it could be done with propriety. With respect to the Motion of the hon. member for Middlesex, he wished to remark that a similar one had been made in 1819, and agreed to. A similar Motion was also made and agreed to last year; but in the interval between these two Motions, no such information was ever asked for, or laid on the Table of the House. He believed, too, that the Motion in 1819 was the first of the kind ever assented to. He admitted, therefore, that he should feel it his duty to give the information granted at these two periods, if there were no objections, as he supposed there were none then, on the score of the public service. But he appealed to the House whether it might not be very inconvenient if it should settle into a custom of laying this information on the Table of the House. There must be many occasions when it must be very injurious to make the public acquainted with the exact amount and distribution of the military force of the empire. If such a return were to be habitually laid on the Table, it would be extremely difficult for the Government to refuse it, when it might be inconvenient to grant it. That made him object to granting it this Session. That, however, was his smallest objection to the Motion. He objected strongly to making this the constant system of the House. On the present occasion he felt very strongly that there were many circumstances which rendered it extremely inconvenient to lay such a statement before the House as was demanded by the Motion of the hon. Member He was the less scrupulous, indeed, in now opposing it, because the information, in consequence of its having been supplied last year, was not required. On the two grounds then, of its being at present inconvenient, and of its being wrong to make such a return habitually, he should oppose the Motion.

Colonel *Davies* could not understand the objections of his noble friend. The country, it should be remembered, was in a state of profound peace. Did his noble friend apprehend the danger of a foreign attack or a domestic insurrection? Certainly, the apprehension of danger from abroad was a poor reason for refusing the Motion, because there was no foreign Power interested in knowing it which could not, in spite of all precautions, ascertain at any time the strength of any one of our garrisons. In his opinion, the information should be granted, or the House could not be prepared to vote the Army Estimates.

Sir *John Hobhouse* said, the information required was in great part before the House. The Estimates themselves stated what force was in Great Britain, what in Ireland, and what force was in the colonies. But the hon. member for Middlesex wished to know exactly what amount of force was in each colony. Such a return had only been made twice before, and it was curious enough that the return of 1819 was made in detail by the Adjutant General, when he was not required to do so. It appeared to him that no House of Commons, at the commencement of every Session, could fairly call upon the Government to state the manner in which the army of the country was disposed of—at home or abroad. That was certainly a matter which should be left to the discretion of the Crown, and the existing Government, according to the emergencies of the times; for there might be circumstances with which the Government alone could be acquainted, to render it of the utmost importance that the mode in which the military force was disposed of should be concealed. With the vast interests of our great empire—with colonies spread over the whole surface of the globe—it was apparent, looking to England, Ireland, and the West Indies, and, indeed, to all parts of the world—that no man could have a right to call upon the Government to proclaim how many troops were stationed in this place—and how many regiments in that? It would not only be the grossest imprudence; it would be usurping the power delegated to the Government; and it would be exposing to those who might take advantage of such exposition, what force was to be stationed, in disciplined array, in different parts of the empire. It was no doubt true, as the hon. member for Middlesex and the hon. and gallant member for Worcester had said, that a similar return was presented last year; and that return he begged leave to explain. The right hon. Gentleman who preceded him in office had certain tables before him, in order that he might draw up certain schemes (well worthy of consideration, no doubt,) with respect to the effect of every establishment for a certain number of years; and when he entered the War-office, these tables were filled up, and only waited for the signature of the Secretary-at-War. Sir Henry Parnell shortly afterwards moved for these returns, but they were not for the purpose of giving an account of the disposable force; for they showed the amount of the military establishment from 1817 up to 1832, in each year inclusive. It was for the sake of drawing a comparison between these years, that the right hon. Gentleman had these returns prepared; and from time to time there certainly could be no objection to give such a return. For example, next year his noble friend would have he, supposed, no objection to give that return for the past year; because, the evil effects of now granting it would be obviated. He put it to the good sense of hon. Gentlemen opposite whether it was good as a precedent—he would not say to allow the Parliament, for he would trust the Parliament—he would not say the hon. member for Middlesex, for he would trust him, and he might almost say the people, also—but whether it was good as a precedent, to trust the matter to the whole world, and to have it universally known, in what portion of the globe every part of the disposable force of this country might be stationed? It was from no wish of concealment that he made these observations. He could say, as his noble friend had said—that, so far as he was concerned, he should be most happy to give every information which the House or the country could require.

Mr. *O'Connell* hoped the House would insist, as was its duty, on having the Returns. They should not proceed on guesses, either as to the number or expenses of the army.

Sir *John Hobhouse* said, that the expense was specified in the papers on the Table.

Mr. *O'Connell:* Granting that, there were no Returns to show whether the aggregate amount of expense was a proper one or not. The noble Lord, in refusing the Returns, relied upon his character.

Lord *Althorp* observed, that he resisted the Returns because, if furnished, they would do injury to the public service, otherwise it was the bounden duty of Ministers to grant them, but he had not, he believed, relied upon his character.

Mr. *O'Connell:* But the noble Lord added, that he was not in the habit of withholding proper information. The right hon. Secretary at War maintained that it was the prerogative of the Crown to dispose of the armed force as it pleased, but it was equally the privilege and duty of the House not to vote money for the payment of the forces, if any information it deemed necessary was withheld from it. The times required that a rigid inquiry should be instituted into the number of troops, in order, that if there were one drummer or fifer too many, they should be dismissed. Before a single shilling was voted, they should have a clear account of the number and distribution of the troops.

An *Hon. Member* said, that the matter ought to be left in the hands of the Government, and quoted the expedition to Portugal, under Mr. Canning's Administration, as justifying his opinion. At that time there was great doubt whether the force should be drawn from Gibraltar or other parts of the Mediterranean.

Mr. *C. W. Wynn* never knew any Member insist on such Returns, after it had been declared by Ministers, on their own responsibility, that the Returns would be injurious. It was interfering with the undisputed rights of the Executive Power. But the most singular circumstance was, that a military man, upon being told that they would be inconvenient to the public service, should ask "why?" That was the most extraordinary question he had ever heard from a military man.

Mr. *Sheil* thought it hard, that while information of this nature had been granted in 1819 and 1832, it should be now withheld.

Colonel *Torrens* thought the Motion ought not to be persevered in. The Return would make all the world acquainted with those points which were open to attack.

Mr. *Hume* begged to remind the gallant Colonel that his Motion did not press for Returns later than the 1st of January last. The apprehensions of the Secretary at War astonished him; it seemed that this country was to be attacked the very next day. But why had there been no allusion to this perilous condition in the King's Speech? He (Mr. Hume) thought the country was in a state of peace, and that the King's Speech might have contained a recommendation to reduce the military establishment. That was what the people looked for. Still, notwithstanding the warlike character of the House he did not think it could consent to maintaining a standing army of 90,000 men. It was perfectly useless to talk of repealing taxes, unless the establishments were reduced. In his opinion the army might be reduced 10,000 or 15,000 men, or at least a great part of that number. His object was merely to ascertain the total number of troops in England, in Ireland, and in Scotland. In Canada, there were 5,000 men, not one of whom was necessary to that State. When he should hereafter propose reductions of the army, the universal cry would be: "Where will you credue them?" How could he tell, when he was now refused the details of their distribution? In the Ionian Islands, for instance, he did not know whether there were three, four, or five thousand men, nor whether the troops might not be entirely withdrawn from them. [*a laugh from Mr. William Brougham.*] Perhaps the hon. Gentleman the member for Southwark who laughed, thought that the islands belonged to this country. In Southwark they didn't know it. [*Question*] There would be questions in plenty; but it was hard that he could not ask a reasonable question without being laughed at.

Viscount *Palmerston* said, that no longer ago than last year there was laid before the House a detailed account of the distribution of the Army for each of the fifteen years, and down to the commencement of 1832; then, if all that were wanted, was the means of investigating the propriety of the Army Estimates, of keeping up the present force, there would be the requisite aid. But, why not give it down to the present time, it was said. That was the question certainly; and his colleagues had replied, and on their responsibility, that it would be inconvenient to the public service. He hoped that the House would not be led away by the hon. Member: he would have them reflect on the character of the Motion. Its tendency went to invest that House with the command of the Army. If he had no other objection to it, that with him would be sufficient. On one day the hon. Member held, that the House would be the best judge of rewards to meritorious officers; on another, he considered, that the House was to judge the propriety of continuing small or large forces in particular stations, garrisons, or colonies. The fact was, that the object of hon. Gentlemen opposite was to vest the command of the Army and Navy in that House. This he resisted, as most dangerous and unconstitutional.

The House divided: Ayes 23; Noes 201—Majority 178.

List of the AYES.

ENGLAND.
Cobbett, W.
Faithful, W.
Fielden, J.
Ingilby Sir W.
Morton, Hon. H.
SCOTLAND.
Gillon, W. D.
IRELAND.
Baldwin, H.
Daunt, W. J.
Fitzsimon, C.
O'Connell, D.
O'Connell, Maurice
O'Connell, Morgan
O'Connell, J.
O'Connor, Fergus
O'Dwyer, A. C.
Roche, D.
Ronayne, D.
Ruthven, E.
Ruthven, E. S.
Sheil, R. L.
Vigors, N. A.

TELLERS.
Davies, Colonel
Hume, J.

STAMP DUTIES.] Lord Althorp moved, that the Order of the Day for receiving the Report of the Committee of Ways and Means be read.

Mr. *Cobbett* thought, that was a proper time for him to offer some observations to the House. He had already mentioned, that there was a mass of taxes amounting to eight millions annually, of which the nobility, clergy, and great landowners, paid little or nothing, but which fell almost exclusively upon the tradesman, the farmer, the workman, and the industrious classes generally. He had proposed to bring forward a Resolution recommending the House to take this subject into their consideration. It had since occurred to him, that whilst the unfortunate question of Irish affairs was before the House, it would be better for him to defer bringing forward his Motion until that great question was finally settled. He mentioned this, lest the House should imagine that he meant to abandon his Motion.

Mr. *Spring Rice* said, that he wished the hon. member for Oldham had brought forward his Motion, or, at least, that he had not intimated his intention of abandoning it in such a manner as to propound an argument, and cause an inference. He disputed the argument, and he denied the inference. He would tell the hon. Gentleman, that all he asked of the House and of him, was a clear stage and no favour. He would dispute every inch with the hon. Gentleman. He denied that there had been, on the part of the Parliament, any disposition to oppress the people. It might suit the object of the hon. Gentleman to make such statements. But he would meet him—aye, he would meet him—he was not afraid to cope with him—yes, he would cope with him foot to foot, and shoulder to shoulder, and might God defend the right! The hon. Member might profit by the privelege of Parliament, to put any fallacies in print for the purpose of deluding the people; but such a system should be exposed—he would expose it, by himself he would do so. The hon. member for Oldham had made one assertion, he would make another—he declared open hostility on the subject; let the discussion come, and then the public would decide.

Mr. *O'Connell* said, the right hon. Gentleman who intimated so eager a desire for the discussion, appeared, from his state of preparation, to have an advantage over those on that side of the House. In sober sadness, however, did the right hon. Gentleman mean to deny, that the hon. member for Oldham had abstracted the schedules to the Stamp Act correctly? If he had done so, why, let him remember that vulgar arithmetic never fails. It was not denied by the noble Lord, the Chancellor of the Exchequer, that he had abstracted them correctly. The only defence which the noble Lord set up was, that many other taxes were in the same situation. It was, however, of no consequence. He did not fear, although the right hon. Gentleman was so chivalrous as to dare the hon. member for Oldham to the combat. Common sense would triumph over Treasury dexterity. There was one part of the Stamp Act which he would just allude to; the stamp upon an arbitration was 20*s.* If the matter in dispute was worth 50,000*l.* it was of no consequence—it was no more. But, owing to this, the poor man was prevented from deciding questions which were to him of importance, in a cheap way, because the stamp would frequently amount to as much or more than the value of the subject in dispute.

Mr. *Hume* said, that, in order to prevent any further disputes at present, he hoped both combatants would at once agree to appoint an early day for deciding the question between them. But, he must say, that his right hon. friend would be a much more clever man than they had yet given him credit for on that side of the House, if he could refute the proposition, that the taxes on stamps pressed unequally, and that the principal burthen was thrown upon the poorer classes. They had often heard of the influence which property ought to possess in this and that case—of the deference which was due to property, but he thought it high time that the House should hear something about property bearing its fair share of the burthens of the country. He did not doubt, that the hon. member for Oldham would not shrink from the fight, although he was challenged to such fearful contiguity as foot to foot and shoulder to shoulder.

Mr. *Fryer* said, it was absurd to attempt to deny, that the landlords had, on all occasions, thrown the burthens of the State upon the people. The people had been oppressed by the landed oligarchy of the country. He said distinctly the landowner, for the farmers had a different interest, and were really as much injured by these laws as other people. The landlord used them, indeed, as a sponge to suck up other people's property, which they afterwards squeezed out of the farmers.

Mr. *Philip Howard* would only remark, in reference to what had fallen from the hon. member for Wolverhampton, that the price of corn was not higher than in 1772, and he did not think there was, on that score, any special ground of complaint against the agriculturist. Before the House went into a Committee of Supply, which was the proper time for the statement of such grievances as weighed most heavily on the people, he (Mr. Howard) would draw the attention of his Majesty's Ministers to the hardship of the house and window tax, particularly as it bore upon the lower class of assessments. The hon. Member further observed, that the public benefit from the repeal of a direct tax, could not possibly be defeated by combination.

The Report was ordered to be received.

On the Question that it be brought up,

Mr. *Cobbett* rose to supply the omission which he had made. He had said, that the nobility, clergy, and landowners, had, for many years, thrown the burthen of 8,000,000*l*. of taxes upon the industrious classes of the community, bearing a very small part of it themselves. He omitted to say, but he would now say it, and he was prepared to prove it, that they had done so, premeditatedly, designedly, and dishonestly.

Mr. *Ayshford Sanford* hoped, that, when the hon. Member brought forward his Resolution, he would not forget to mention to the other side all the taxes which were borne exclusively by the landed interest, and which they had imposed upon themselves.

WAYS AND MEANS—SUGAR DUTIES]. The Report brought up, and Resolutions read.

On the first Resolution having been read a second time,

Mr. *Hume* rose to move the reduction of the duties upon sugar. His Motion was, that the duty should be reduced from 24*s*. to 15*s*. The duty had been increased as a war tax, but it had not since been reduced. It would be highly beneficial to the West-India planters, as well as to the people of this country, to reduce the tax. Even an *ad valorem* duty would be more advantageous. He conceived, that the equalization of the duties on West-India and East India sugars would be most advantageous. He was convinced, that it would not injure the West-Indian planters, because East India sugar was not fit for refining, whilst it would enable the inhabitants of our East-Indian possessions to pay for the manufactures of this country in native produce.

Mr. *John Stewart* would not go, at present, into the question of equalizing the East and West India duties; and although he, and all who were interested in the West Indies, must feel obliged to the hon. member for Middlesex, yet they did not think the present a fitting time for refusing the annual duties; his Majesty's Government being engaged in the consideration of the important subject of the West Indies, and all things showing the probability of an approaching settlement of that question.

Mr. *Herries* said, he was glad to hear that some measure was likely to be brought forward for the settlement of colonial affairs; but, he must say, he did not think it wise of his Majesty's Government, at the same time, to bring forward this measure for the renewal of the sugar duties. He objected to the mode of bringing forward this proposition on constitutional grounds. It was an established principle, that the House should not grant any money, until it had first determined the purposes to which that money was to be applied; or, in other words, that the Ways and Means were not to be proposed until the supply had been granted. In this instance the Government had deviated from the former practice, and without any sufficient reason having been assigned; for the House was here called upon to vote four millions, without having had the supplies regularly submitted for its consideration. The House had a right to know to what purposes the public money was to be devoted, before it sanctioned the appropriation of that money. There was a wide distinction between those votes of money to pay off Exchequer Bills, which were merely to supply the votes of the last year, and those votes which were votes of Ways and Means for the current year; and, although the former were justifiable, the latter were not. He must, therefore, express his regret that the noble Lord opposite had not taken an opportunity of making, in the first instance, his general statement of expenditure, before moving any part of the Ways and Means, as had always been done on former occasions. Hearing, as he every day did, promises of a repeal of taxes, which he knew must be disappointed, he felt that the sooner the public were undeceived on that point the better.

Lord *Althorp* would admit the general principle, that a reduction of duty tended to increase consumption, so as to prevent a loss of revenue, but could not, in the present state of the revenue, venture to adopt such an extensive reduction as that proposed by the hon. member for Middlesex. That reduction would affect the revenue to the extent of 1,800,000*l.*, an amount which could not be safely risked on the mere chance of increasing the consumption. He was less induced to make the reduction on recollecting that the revenue lost the whole amount of the reduction from 27*s.* to 24*s.*; so that, to make a small reduction would only injure the revenue without essentially benefiting the consumer; and to make so large a one as from 24*s.* to 15*s.* would be the risking a very great diminution of the revenue on the chance of a counterbalancing increased consumption. Again, the hon. Member said, his object was the benefiting the West-India interest, by consuming all its produce in this country, and yet, in the same breath, he proposed the admission of East-India sugars at a reduced duty. Did it not follow, that the latter proposition would destroy the former, inasmuch as the competition must tend to drive West-India sugar out of the market to the extent of the consumption of East-India sugar? Those, however, though strong, were not his chief objections to the hon. Member's Motion. He conceived, that the present was a most improper time for adopting such a proposition; in the first place, they were shortly, in the course of the present Session, to have to inquire into the general bearing of the East-India Company's Charter, and also a question deeply involving the commercial interests of the West-India colonies; so that, on the face of it, it would be highly inexpedient to adopt any *ex parte* proposition in reference to either interest. He now came to the statements of the right hon. Gentleman, who had contended, that it was the general practice and habit of that House not to vote Ways and Means, until it had granted an equal amount of Supply. The right hon. Gentleman had made a distinction between the Supply for the payment of outstanding Exchequer Bills, and the Supply for the expenses of the current year. But it appeared to him (Lord Althorp), that the objection of the right hon. Gentleman to the vote under consideration, if it were not entirely technical, partook largely of a technical character. For, it must be remembered, that the vote of sugar duties of last night was but the first step, and that the reception of that vote to night would be but a second step in the process of imposing those duties. Those duties could be actually imposed only by Bill, the whole course of which Bill might be discussed and disputed; so that, practically, the House had just as much power over the duties as if they had not been voted in the Committee of Supply, and might stop the progress of the Bill if they were dissatisfied with the manner in which his Majesty's Government proposed to apply the duties. In fact, then, before that Bill could be passed, supply to a greater extent than those duties would be voted. And as to his not having sooner brought forward the annual financial statement, he need only remind the right hon. Gentleman, that the quarter ending the 5th of April was one of great importance in framing a satisfactory balance-sheet. Last year, for example, that quarter made a difference of 600,000*l.*, as compared with the same quarter of the year 1831. He only awaited the returns of the current quarter, confident that the financial statement for 1833 would be satisfactory.

Mr. *Hume* said, that the Amendment on the Resolution should be introduced now, or else it could not be introduced at all, for what was agreed to in Committee could not afterwards be altered by the House.

Amendment negatived, and Resolutions agreed to.

HOUSE OF LORDS,

Friday, March 8, 1833.

MINUTES.] Petitions presented. By Lord KING, from St. Mary-le-Strand, against the House and Window Taxes.—By the Duke of RICHMOND, from a Parish in Haddingtonshire; from Horsham, and Hertsmonceaux; by the Earl of ALBEMARLE, from Stoney Stratford; and by the Earl of ROSEBERY, from Dalkeith,—for the Abolition of Slavery.—By the Duke of RICHMOND, from Horsham, for a Revision of the Criminal Law.—By the Earl of SHREWSBURY, from numerous Parishes in Ireland, for Extending the English Jury Bill to that Country; for Vote by Ballot; against Tithes; for a Repeal of the Union; against Vestry Rates; for a Domestic Legislature to Ireland; and against Coercive Measures.—By Earl GREY, from Bantry, against Coercive Measures, and for an Inquiry into the State of Ireland.—By the Bishop of LONDON, from two Metropolitan Parishes, for a Measure to Regulate the Hours for Employing Children in Factories.—By the Duke of RICHMOND, Earl BEAUCHAMP, Lord BEXLEY, the Bishop of WORCESTER, the Marquess of CHOLMONDELEY, the Bishop of LONDON, the Earl of RODEN, Lord LILFORD, the Earl of HARROWBY, Earl GREY, and the Bishop of DURHAM, from a great many Places in England and Scotland,—for the Better Observance of the Sabbath.

HOUSE OF COMMONS,

Friday, March 8, 1833.

MINUTES.] Papers ordered. The Authority by virtue of which the Kirk Session of North Leith levy Tithes on Fish brought into that Port, and Amount of the Tithes.—On the Motion of Mr. SHAW, the Arrears of Tithes due in the Dioceses of Ireland, from the 1st of May, 1829.

Bill. Read a second time:—Grand Juries (Ireland).

New Writs. For Oxford, in the room of Colonel STONOR, declared by an Election Committee not duly Elected.—For Marylebone, in the room of Mr. PORTMAN, who accepted the Chiltern Hundreds.

Petitions presented. By Mr. HUME, from Dumfermlin and Forfar; Inhabitants of London and its Neighbourhood; from Hounslow and other Places; by Mr. CURTEIS, from Battle; by Mr. JOHN O'CONNELL, from Youghall; by Mr. W. ROCHE, from Limerick; by Mr. HALL, from Newport, Monmouth; by Mr. THOMAS ATTWOOD, from Wednesbury, Walsall, Stoke-upon-Trent; from Inhabitants of Marylebone, from Clonmeen, and Gorey, in Ireland; from Atherstone, and Chaddesly Corbett; by Mr. BUCKINGHAM, from the Sheffield Political Union; by Mr. FERGUS O'CONNOR, from Kilworth, and other Places in the County of Cork; by Mr. C. BULLER, from Liskeard; by Mr. LALOR, from Maryborough, and other Places in Queen's County; by Mr. BROTHERTON, from the Political Union of Salford; by the SOLICITOR GENERAL, from Dudley; by Colonel BUTLER, from Ballyragget, and five other Places in the County of Kilkenny; by Mr. SULLIVAN, from the County and City of Kilkenny; and by Mr. JOHN FIELDEN, from Oldham and Ardagh,—all against the Suppression of Disturbances (Ireland) Bill.—By Sir WILLIAM FOLKES, from a Place in Norfolk; by the SOLICITOR GENERAL, from Inhabitants of Dudley,—in favour of the Bill.—By Mr. BENETT, from the Grand Jury of Wiltshire for the Amendment of the Beer Act.

PETITIONS.] The *Speaker* begged to recall to hon. Members what had passed yesterday, and he put it to them, whether those petitions only which related to the Irish Disturb ances Bill should be presented. If, when all those had been presented, there was an opportunity, of course petitions upon other subjects could be presented; but, he confessed, that he was not very sanguine in supposing, that there would be such an opportunity.

Mr. *Curteis* wished to know whether the names should be taken as they appeared in the books of the House?

The *Speaker* said, of course; it would be unfair to strike off the name of any Member who had other petitions to present. Gentlemen would have the kindness, when they presented their petitions to say, whether they had others upon any other subject; if they had, their names would of course remain, but if they had not, their names would be struck off.

Lord *George Lennox* said, the hon. Member (Mr. Curteis) had his name down three times, and some Members had theirs down four or five times. If, therefore, the hon. Member presented a petition to day, and had petitions upon other subjects, he would have his name still low on the list. No name should be down more than once. He had been every day in the House at each sitting, and yet he had been unable to present one of his petitions, which made his constituents imagine he was negligent of his duty.

Mr. *Hume* said, that all names beyond their first entry should be struck out. He had now about forty petitions lying in the Vote-office ready to present, exclusive of eight or ten upon the subject of the Irish Bill, and if Members chose to take three or four chances, he thought he would be justified in taking twenty chances. He had, in fact, refused to accept petitions, because they came so thick upon him, and he had sent them to the Members of the places from which they came. He should move, that all names down more than once be struck off.

The *Speaker* hoped the House would permit him to say a few words. The object of the arrangement made yesterday was to save time, but the result of this discussion would be to lose time. It was impossible at the morning meeting, that the Motion of the hon. Member could be made; but in calling the attention of the House to the petitions relative to the bill, that was to be discussed to-night, every Gentleman must know, that when his name was called, except under the pressure of circumstances like the present, he could dispose of all his petitions.

SUPPRESSION OF DISTURBANCES (IRELAND)—PETITIONS.] Mr. *Hume* presented a Petition from the Political Union of Dunfermling, and one from the inhabitants of Forfar, against the Irish Disturbance Bill. The petitioners stated, that they viewed with great jealousy the substitution of military for civil law, and prayed that House so to modify the Bill as to afford protection to life and property in that country, without so far departing from the Constitution.

Mr. *Baldwin* presented a petition, signed by 20,000 inhabitants of the county of Cork, against the Bill for Abolishing Trial by Jury, and establishing Martial-law in Ireland. Amongst the petitioners he had to enumerate the names of the first merchants in that county, Catholics and Protestants. It was signed by William Crawford and Francis Bernard Beamish, who were known to every mercantile man in the empire to be merchants of the first respectability, and they were Protestants. Others of the petitioners were men of great respectability; and he hoped, that in bringing forward this petition the House would perceive, that he did so under the sanction of names which ought to give it great weight. It did not come from people of the lower classes, but from men of great commercial and landed property, who had a deep interest in the peace of that country, men who would not oppose the Bill if they thought it was calculated to preserve peace and good order, or to maintain the security of property in Ireland. It could not be denied, that such men were more deeply interested in upholding the authority of the laws in that country than any Member of that House could be, who had no other than an official conexion with Ireland. They would not thus earnestly pray for the suspension of the ruinous and tyrannical bill, if they agreed with the Government in thinking, that it would remedy the evils which had been put forth as an excuse for its enactment. In their petition they respectfully denied the truth of the statements on which the introduction of the measure had been defended. Surely those gentlemen must be better acquainted with the state of Ireland than the persons from whom the noble Lord opposite derived his information. The hon. Member, in presenting a petition from the parish of Hackett's Town, in the county of Carlow, stated, that the petitioners alleged the county in which they resided to be in a state of perfect tranquillity, although a clergyman had recently burnt some produce seized for tithe. If the people would not be provoked to acts of outrage by such occurrences as these, it could not be necessary, the hon. Member remarked, to pass such a measure as that now before the House. The hon. Member in presenting petitions from the inhabitants of Tullagh and Loughlin-bridge, in the county of Carlow, said that the last-mentioned petition stated, that such was the consternation produced by the announcement of the measure before the House, that a number of the most respectable inhabitants of the place were selling off their property, and preparing to emigrate to America. They declared that they were compelled to take refuge from the tyranny of the British Government, in a country where mild and merciful laws existed.

The petitions laid on the Table.

Mr. *Sinclair* considered, that the hon. Member who had presented the petitions, and the other Gentlemen who were opposed to the measure, had entirely misrepresented the state of feeling as to the question in Ireland. They had stated, that the whole of the Irish population were opposed to this measure. Now he would take upon himself to say, that a numerous and influential body were in its favour, by far more respectable than those who opposed it, and he had no hesitation in saying, that those hon. Members who supported the measure would receive the gratitude of their constituents for doing so.

Mr. *Blackney* said, that in consequence of his name being so low upon the list, he had requested his hon. friend (Mr. Baldwin) to present some petitions for him. One of them contained the signatures of no less than 1,500 persons. The petitions had been in his possession for the last ten days, but in consequence of the regulations of the House, he had been totally unable to present them. He would not occupy the time of the House, but he trusted they would allow him to state, that he had seen the spot where the burning of corn had taken place at Hacketstown, and he could say, that no outrage had taken place in that parish for the last twelve months. The same observation would hold good with respect to Forres and several other parishes. At another opportunity he would make some statements, in the hope of convincing the noble Lord opposite, that the county of Carlow was not in that disturbed state in which it was generally supposed to be.

Mr. *Wilks* trusted, that hon. Members would not enter into discussions like the present, upon the presentation of petitions, otherwise the object of meeting at that hour would be completely lost sight of.

Mr. *Emerson Tennant* trusted, that the House would allow him to make a few remarks. He thought it would be as well that petitions should be the spontaneous effusions of the petitioners. With respect to the present petitions, he did not consider them to be so. He held in his hand the copy of a letter, purporting to be written by Mr. O'Connell, and dated 14, Albemarle-street? Whether that was the residence of the hon. Member he did not know, but the writer expressed a hope that the people would resist the atrocious measures brought in by Earl Grey, for the coercion of Ireland. In another part he had requested that his name might be used to conjure the people to be peaceable, and to commit no outrage or violence. In his opinion the previous part of the letter was rather calculated to increase than allay violence. The letter went on to say—

The *Speaker* said, he must interrupt the hon. Member in the course he was pursuing. It might, indeed, be very true, that what was stated in that letter had something to do with the subject before the House; but it did not relate immediately to the contents of the petition. The House was assembled for the purpose of receiving petitions. It had taken a most unusual step, and one that would not be authorised, but for the pressure of business before the House. Language and topics of the description referred to by the hon. Member, would, in common fairness, require to be replied to, and he put it to the House, whether, if the course pursued by the hon. Member was persisted in, the business of the House could be carried on with fairness to every Member.

Lord *Althorp* feared, that if such a discussion were pursued, the whole object of the House for the presentation of petitions on the subject of the Irish Disturbances' Bill would be frustrated. What the hon. Member had stated might be very proper matter for discussion on the second reading of the Bill. In that discussion it would be determined what weight should be given to the petitions presented; and he hoped that no such discussion would be persisted in, during the time for presenting petitions, that the intentions of the House might not be frustrated.

Petitions ordered to be laid on the Table.

Mr. *Barron* presented a petition against the Bill from the parish of Trinity without, in Dublin. The hon. Member then presented one of a similar nature from the inhabitants of the city of Waterford, agreed to at a public meeting. The meeting was convened before the letter alluded to by the hon. member for Belfast was known to the inhabitants of Waterford. He (Mr. Barron) would tell the hon. Member, that the inhabitants of Waterford had sufficient sense and discrimination to enable them to determine when to petition, without the dictation of any man. He would not have said anything which might tend to provoke a discussion, if it had not been for the ill-timed remarks of the hon. Member. The inhabitants of the city of Waterford, in praying that the Bill might not be passed into a law, said, that the petitioners were of opinion it would only increase the feeling of animosity between the two countries. It had already excited considerable animosity between opposite parties in Ireland, and was calculated to lead to a separation between Ireland and England.

Mr. *O'Connell* said, he was convinced of the necessity of presenting petitions without any unnecessary discussion, but he wished merely to say a word, as he understood, that in his absence his name had been referred to. He could assure the House, that the people of Ireland felt deeply upon this subject, and his advice had been to petition against it; that was the constitutional means of expressing the people's opinion, and he was convinced the advice he had given was the best. He cared little for the imputations which might be made against him for giving that advice.

Mr. *Emerson Tennant* who had alluded to the hon. and learned member for Dublin observed, that he did not wish to throw out any imputations against that hon. and learned Gentleman, but he merely wished to show, that those petitions were not the spontaneous effusions of the persons from whom they came.

Mr. *Barron* then presented a petition from the parish of Glandine, in the county of Waterford, also against the measure; and assured the House, that it was the voluntary petition of the persons who signed it. They stated, that that part of the country was in a state of perfect quiet, and that there had not been in their neighbourhood a single outrage within the last twelve months. He also presented a petition from the parish of St. Patrick, in the city of Waterford, against the Bill. The hon. Member begged to be allowed to read a paragraph from a letter which he had received from the agent of the Bank of Ireland, in Waterford. The writer said:—"I have now to defend myself against a run for gold, which commenced two or three days ago, and self-preservation, as you know, is the first law of nature." That letter was from a most respectable gentleman (Mr. Thomas Scott), who was agent of the Bank of Ireland, at Waterford, so that it appeared, that the Acts of the Government were now producing the very effects which he (Mr. Barron) had anticipated. His next petition was one of rather more importance. It was from the parish of Ferry Bank, in the county of Kilkenny—a part of the country which had been stated to be in such a terrible state of disturbance. The petitioners stated, that that part of the country was now perfectly tranquil, and had been so for some time. They stated, also, that an attempt had been made by some wickedly-disposed persons to introduce the system of Whitefeet, but that the parish priest and his coadjutors had suppressed it in a few days. That was the more remarkable, for there was not in that neighbourhood a single resident Magistrate, nor any police force. He (Mr. Barron) resided on the border of that county, but there was not a Magistrate; nor, as he understood, a police force from Waterford to New Ross, a distance of fifteen miles. That part of the country, therefore, was kept at peace by the exertions of the Roman Catholic priests, was, he thought, quite evident.

Mr. *Thomas Attwood* presented a Petition most numerously and respectably signed, from the Inhabitants of Birmingham, praying the House not to pass the Irish Coercive Bill. The petitioners assured the House, that if the Bill received their sanction, they would not support, either directly or indirectly, the civil war that was contemplated by his Majesty's Ministers against Ireland. It was impossible, said the petitioners, that the people of England, in their present distress and destitution, could contribute in any way towards defraying the expenses of carrying on such a war. They had long looked upon the question of the Repeal of the Legislative Union of the two countries with feelings of the greatest anxiety, and in deprecating the proposed measures of coercion towards Ireland, they expressed a hope that Ministers would retrace their steps, and legislate for that country with a strict attention to the wants and wishes of the people; but that if England were to be taxed for the purpose of enabling the Government to oppress the Irish people they (the petitioners) would do all in their power to assist their Irish brethren in their struggles to preserve the little remnant of liberty which had been left them. He had also a petition from the parish of Wednesbury, in the county of Stafford, to the same effect. The Petitioners were of opinion, that if that measure of coercion should be passed into a law, it would endanger the liberties of the whole of the people of the United Kingdom. They prayed the House, instead of abolishing the Constitution in Ireland, to inquire into the causes of the distress which so long afflicted that misgoverned and oppressed country. After presenting several other petitions with the same prayer the hon. Member said, he would not trouble the House with any observations on the purport and tendency of these petitions; but he would conjure it to pause for a moment while they were still on the verge of that destructive gulph, whose depth no human eye could fathom, and whose fearful contents no human heart could guess. He implored it to pause before it plunged Ireland into an ocean of anarchy, and upon his conscience he believed, England into one far worse. He supported the prayer of these petitions, he had only to add, with pain, but at the same time with fortitude and determination, opposed as they were to those Ministers who had given the country Reform; but he did so, because he believed he might by that, save that country from ruin far greater, far more extensive, than Reform could ever restore.

Petitions laid on the Table.

Mr. *Fergus O'Connor* presented a Petition, very numerously signed from the inhabitants and landowners of Mitcheltown, and another place in the county of Cork. The petitioners stated, that they heard, with feelings of bitter distress, that Martial-law was to be the first boon offered by a Reformed House of Parliament to a people who had been chiefly instrumental in passing the Reform Bill. They were surprised at the credulity of the Irish Government, and of the British Ministry, in believing the statements which had been foisted upon them. They stated that those statements had chiefly, if not entirely proceeded from the Conservative societies, which had already done their utmost to prove that the late Reform measures of the present Ministry were purely revolutionary; and that it was their aim now to bring his Majesty's Ministers into disrepute. The petitioners further stated that the county (Cork) was in an extremely tranquil state, of which, as the principal inhabitants of the West Riding of that county they were competent to judge and speak. The petition also stated, that at a recent assizes in the county Cork, the perfect tranquillity of that district had been alluded to by the Earl of Bantry, in the presence of many Magistrates and other persons of influence; and that, in the same month (January last), at a very large meeting of Magistrates, Catholic priests, and others, conversant with the real state of the country, held at Skibbereen the same statements as to the peaceful state of the county of Cork were made and confirmed. This, then, was the opinion of the well-informed inhabitants of the baronies of Talmore, Orrery, and Kellock, Protestants as well as Catholics. Another petition to which he had to call the attention of the House was from Duskane, in the same county, and which struck at the root of the evil—namely, the arch-agitator himself. The petitioners, in common with himself, and with the great majority of the inhabitants of Ireland, considered that the right hon. Secretary for Ireland was unfit for the situation which he held—that his political measures were ruinous and destructive. It mattered little whether they proceeded from ignorance of the real state of Ireland or from political causes. It was evident to them and to him, that the right hon. Secretary cherished no sympathy for the grievances of that country; but, on the contrary, by his haughtiness and insolence showed no disposition to relieve it. He joined most emphatically in the prayer of the petitioners, that the right hon. Secretary for Ireland might be immediately removed from the administration of affairs in Ireland. He had now presented several petitions on the subject of the coercive measure now passing through the House. He had presented them all from the county of Cork. This was a circumstance which was very important, especially after the statement which had been made in another place, that the state of that county (Cork) was such as to demand the immediate passing of this Bill into a law. If, therefore, no disturbance existed in that county —and he could bear testimony to the fact that there was none, concurrently with the statements contained in these petitions, and, as he could also prove from various letters he had received from Magistrates in different parts of the county—if, he repeated, Government had failed in proving that disturbances existed in the county of Cork, it was the imperative duty of that House to look minutely, and with much jealousy, into the evidence which his Majesty's Ministers had produced before them. He did assert, without fear of contradiction that that county was never in a more tranquil state than at present; and with regard to an observation made by an hon. Member this morning, he must say, if his constituents had not by their petitions repudiated the imputation which had been thrown upon them by stating the exact situation of the county, he should have immediately delivered up the trust they had confided to him, and would have ceased to be their Representative in that House. He would not enter further into this question, as he should have other opportunities of giving his opinions on the Bill. He would, however, strenuously oppose it in every stage of its progress. He would merely state, in the middle of the day, when not inflamed, that his opinion of the Bill was, that it should be given over into the hands of the common hangman. It established to his mind most completely the melancholy truth of an observation of Lord Chancellor Burleigh, that the people could never be ruined but by Parliaments. The present measure was an instance of it; and he had no hesitation in saying, that the Ministers who had advised his Majesty to propose this measure and had brought it into that House for adoption, deserved impeachment at the Bar of the House, and if found guilty under that impeachment, deserved to suffer the extreme penalties of the law.

Mr. *Buckingham* in presenting a petition from the inhabitants of Sheffield, in the county of York, being members of the Political Union in that town, said, the petitioners expressed their knowledge that Ireland had long been afflicted by misrule and numerous grievances, and they, therefore, were glad to learn that measures of relief were contemplated by his Majesty's Government; but they also stated, that they witnessed with much pain and indignation, the introduction of a Bill for the adoption of severe measures towards Ireland, which nothing but imperious necessity could justify—a necessity which they could not see at present existed. The petitioners prayed that the remedial measures might speedily be passed into law, and that the coercive measure might be postponed three months, in order that its necessity might be satisfactorily established before it was finally adopted by the House. He concurred heartily in the views and desires of the petitioners. He approved highly of the remedial measures proposed by his Majesty's Ministers, deprecated the speedy progress of the coercive measures, and hoped the latter would be postponed until the effect of the former being passed into a law had been ascertained.

Mr. *Parker* craved the indulgence of the House, while he stated shortly the reason which induced him not to support the prayer of this petition. He considered that the circumstances of imperious necessity which the petitioners said would justify the measure, had already arisen. In his judgment, if a bill similar to this had not been brought in by Ministers, very soon one still more severe in its provisions would have become necessary. Government would have deserved the indignation of the country if they had not stepped in and met the necessity of the case by endeavouring to protect the peaceable subjects of the King, from that anarchy, deprivation, and outrage, which he was sorry to see pervaded the Sister Kingdom. This was the sole reason why he could not support the prayer of the petition. He had a perfect right to say, that he did not concur with it, and he protested against the imputations thrown out by Members on the opposition side of the House, as if they were the sole guardians of the Constitution, and monopolized all regard to the liberties, and peace, and happiness of Ireland.

Mr. *O'Connell* denied, that the hon. Gentleman who had just sat down had a sincere desire to protect the Constitution. The hon. Gentleman seemed on all occasions to be ready to adopt assertion for proof, and he now set himself up in favour of Courts-martial. That was a part of the Bill, however, but as the hon. Gentleman repudiated it, it was to be hoped that he would give him (Mr. O'Connell) his support. When assertions were to be made evidence, it was too much for those to reproach the Irish Members, who were actually taking away protection from innocence under the pretence of punishing the guilty.

Lord *Althorp* did not wish to interfere in the discussion of petitions, but he could not sit still and hear an attack made on a Gentleman who had as full a right to state his reasons for supporting a measure as those who had opposed it.

Mr. *Richards*, in supporting the prayer of the petition, begged to set himself right as to what he had stated on a former night, which had been denied by the hon. member for Roscommon, on the authority of a private letter. He (Mr. Richards) had since found out the clergyman to whom he then alluded, and he had seen both him and his wife. What he then stated had been grossly misrepresented. That clergyman was now perfectly ready to prove his statement at the Bar of the House. He had no objection to give the name, as he had the authority of the clergyman himself to do so; but if he named him, he must make a few observations to protect the credit of his own statement. There were but three discrepancies between his statement, and that of the clergyman. One was, that the clergyman did not make use of the phrase "town park," which in Ireland denoted pasture land near a town, as he (Mr. Richards) had stated, but that was not material. Another was, that he had stated the clergyman to have a living of 400*l*. a-year, whereas the fact was, that the living was of that value, but he only got 60*l*. a-year. The third was, that the clergyman had not established a dispensary in the town as he (Mr. Richards) had stated, but had established one in his own house. The clergyman was, however, willing to prove, that he was shot at while going into his own house, and that he was afterwards shot at again while walking with another clergyman, and was badly wounded. He could prove, also, that his grounds had been torn up; that he had a small fortune, part of which he dispensed to the poor; and that he was obliged to leave Ireland in consequence of the system which prevailed. Having stated this much, he would now say that it was the reverend Mr. Craig.

Major *Beauclerk* said, that while he felt bound to oppose the measure in every stage, he would give the hon. Gentlemen opposite full credit for their honesty of motives.

Petition to lie on the Table.

Mr. *Lalor*, in presenting a petition from

Ballynachin, in Queen's County said, he had also a great many petitions from townlands throughout the country to the same effect. The reason of those small petitions having been sent to him—and he believed the House would be inundated, very soon, with similar petitions from other parts—was, that the people had an impression that there was a feeling already that large meetings should not take place for the purpose of petitioning Parliament. He had no doubt that one half of the horrible outrages which had been detailed to the House had never taken place. Of his own knowledge, he knew that many facts which had been deposed to before the Committee last year respecting the state f Ireland had never taken place.

Mr. *James Grattan*, from being connected with this part of the county, felt it to be his duty to state that few or no outrages were known in Queen's County, and to the honour of the gentry of that county, they had always been ready to discharge their duty when called upon. For his own part, he was a landed proprietor of the county, and he should be always ready to discharge his duty in support of the established laws; and as the best mode of his discharging his duty on the present occasion, he would repeat to-night the vote he gave a few nights ago against the measure now proposed as the only way he could conscientiously act in support of the laws of his country.

The *Solicitor General* said, that, as the Representative of Dudley, he had been intrusted with two petitions relating to this Bill—one of them against it, and the other in its favour. The former was adopted at a public meeting numerously attended, and was most numerously signed. He was bound to say, also, that he could vouch for the respectability of the persons signing it. The petitioners thought that the evils of Ireland arose from misgovernment, and that the cure for them was conciliation. They were opposed to the Bill at present before the House on account of its unconstitutional nature, and thought that no such Bill ought to pass, except in a case of the greatest necessity. He (the Solicitor General) most heartily concurred in the general principles relied upon by the petitioners; but he should be unworthy to represent them, if he did not say, that he considered the extraordinary emergency to which they referred had now arrived, and that it was absolutely necessary to pass an unconstitutional measure. The other petition was from the Magistrates, bankers, clergy, and other rate-payers of Dudley, who stated that they saw with deep sorrow it was necessary, on account of the state to which Ireland was reduced, to adopt strong legislative measures to subdue the lawless spirit and dangerous associations now existing in that country. They prayed the House, therefore, whilst they took measures to remove the real grievances of Ireland, they would also take measures to put down the open violations of the law which now disgraced that country, and to restore a secure protection of life and property.

Mr. *O'Connell* wished to know how many clergymen had signed that petition, for the last that was presented in favour of the Bill, out of seventy-five signatures, had those of five clergymen? The clergy of England appeared to have a kind of *esprit du corps* or fellow-feeling with the clergy of Ireland, which it was desirable to note.

The *Solicitor General* said, he did not know how many clergymen had signed the petition; he had merely recognised the signature of Dr. Booker.

Mr. *Sullivan*, on presenting a Petition from the Members of the Trades' Political Union of Kilkenny, said, that so far from the ends of justice being impeded by the intimidation of Juries, Mr. Justice Torrens had congratulated the Jury on their perseverance and determination in convicting persons who had been guilty of committing outrages, and since that period, he was happy to say no disturbances had taken place in that part of the country. Upon his own authority he could state, that as far as Kilkenny was concerned, there was no necessity whatever for coercive measures. He should take another opportunity of vindicating the county and city of Kilkenny from the aspersions which had been thrown upon it. In making the statement he had done, he did not mean to include those disturbers of the public peace who committed outrages that every body must deprecate and deplore, and to whom the strong arm of the law ought to be applied. If the arm of the law was not sufficiently strong to reach them, he would willingly lend his aid to his Majesty's Government to make such enactments as the urgency of the case required.

Lord *Arthur Lennox* felt called on to

say, that, so far from the county of Kilkenny being in a tranquil state, a brother-in-law of his (a clergyman) was unable to leave home for the purpose of attending even a place of worship, without leaving a number of armed men in his house to protect it.

Mr. *Henry Grattan* could state, for the satisfaction of the noble Lord, that no occasion now existed in the county of Kilkenny for the reverend Gentleman to employ any force for the protection of his property from outrage.

Mr. *Barron* said, this representation was very different from the statement made by an hon. Member, who had but very lately arrived from Ireland. In the course of the debate on the first reading of the Bill, it had been said by a noble Lord, and by another hon. Member, that it was unsafe for Gentlemen to participate in the sports of the field. Now, he was informed, and firmly believed, that at the very moment he was addressing the House, any Gentleman might join in sporting in the county of Kilkenny; and he positively denied, that it was the custom of those Gentlemen to go out armed with pistols.

Mr. *O'Dwyer* regretted, that only one unpaid Magistrate in that county had been found to exercise fully the duties of his office; and that other Magistrates had not followed his example, in going about among the farmers and peasantry, and endeavouring to allay discontent by advice and assistance. He was convinced, that if a proper feeling was cultivated between the Magistracy and the people, outrages would at least be lessened, and might be expected entirely to cease. The prayer of the petition he most heartily concurred in, and gave it his best support.

Mr. *O'Connell* said, that in no instance was any gentleman implicated in the outrages.

Petitions to lie on the Table.

SUPPRESSION OF DISTURBANCES (IRELAND).] Lord Althorp moved the Order of the Day, for the second reading of the Suppression of Disturbances (Ireland) Bill.

Mr. *Hume* wished to take the first opportunity of stating his opinion on this Bill. He assured the House that he had never risen to speak with more regret, or with greater pain. He felt the greatest regret that he should have to oppose his Majesty's Ministers, with whom he had so long been acting, and pain that he should find them in a situation in which they appeared to have forgotten all the principles which they had advocated for the last twenty-five years, and were engaged in introducing a measure that their opponents never would have dared to introduce. In his opinion, no measure that had ever been brought forward in that House was so great a breach of the Constitution of this country; for, with one universal sweep, it deprived a great portion of the people of the country of their Constitutional rights. He greatly feared that the consequences of this measure would be as injurious to those who brought it forward, as detrimental to the best interests of the country. He thought the House had hitherto taken but a limited view of the importance of the subject. He was willing to give his Majesty every proper and necessary power to put down disturbances in Ireland, but, before such powers were confided, a case ought to be made out to show that the law was not sufficient, and that extraordinary measures were necessary. If it had been contended, that there were no grievances in Ireland, that the people were riotous without cause, it would be easy to make up one's mind what course to pursue; but when he saw that no means were taken to redress abuses, but that, on the contrary, the pledge which had been given last Session, that the coercive measures which were then introduced—measures dispensing with the ordinary powers of the law, for the purpose of enforcing tithes—when he saw that this pledge had not been redeemed, he would not consent to intrust further powers to the same hands. The noble Lord (the Chancellor of the Exchequer) had, on that occasion, admitted that nothing could justify a departure from Constitutional proceedings, except the great and substantial redress with which the measure was to be accompanied. At the time of the introduction of that measure, Ireland was in a state of perfect tranquillity. He had authority for saying so, and for stating that the fact was not unknown to his Majesty's Government, for a right hon. Baronet who had been a Member of that House, informed him that he had written to some Members of his Majesty's Government, stating that he had not known Ireland so quiet for years. He had also the statements of Major Brown, who, in August last, said, that Kilkenny was perfectly quiet; and that he was convinced a single policeman could execute a warrant without molestation; that he knew of no quarrels between the police and the people; and that he would rather see one man do any common duty, than four or five. That public officer stated, that Kilkenny had not been so quiet for three years. But, for the sake of argument, he would admit the disturbances, and he would then ask who caused them? Why, the right hon. Gentleman, the Secretary for Ireland. He had been told last year, that his Tithe Bill would produce excitement. He had been warned against the evils which it would produce; yet he went on, heedless of the warning. The hon. and learned member for Dublin was not the agitator—the right hon. Secretary was the agitator. For his part, he had anticipated a different line of conduct from the present Ministry. He anticipated an end of abuses; but, instead of that, the Irish people were to have Martial-law, military domination, and be put without the pale of the Constitution. He trusted that Earl Grey would have followed a different course, and that a Bill would not have been brought in, under the auspices of the noble Lord opposite, to spread desolation over Ireland, and sweep off the unhappy people who were writhing under their wrongs. The evidence of persons even friendly to Government—of men who supported Government, was against the present tithe system. When Sir Hussey Vivian was asked his opinion of the organization of the peasantry, his reply was, that it was general among the people, and that the object was to resist the payment of tithes. The Secretary for Ireland had promised the extinction of tithes, but the promise had not been performed, and "hope delayed maketh the heart sick." The outrages at Kilkenny were the consequence of the Tithe Bill, the handy-work of the right hon. Gentleman. Therefore he claimed that the House should pause, and, before it took any other step, address the Crown for the removal of the Secretary of Ireland as an evil councillor, who had converted Ireland from the abode of peace into a scene of confusion and outrage. Instead of the promised extinction of tithes, or as the right hon. Gentleman had explained it, the removal of that most odious system, what had been the course pursued by Government? Thousands, and tens of thousands of seizures for tithes had been made; the property of whole parishes had been swept away, while the agents of this work of tyranny were aided by battalions of infantry, and supported by parks of artillery. Was this to be borne? When suffering exceeded certain bounds, patience was no longer a virtue—it then became a virtue to resist. When remonstrance was vain—when the iron pierced the soul, it was the duty of every man to oppose such acts of oppression. Cows, pigs, and poultry, had been remorselessly seized, and in one instance a stack of hay, which had been sold to pay a tithe of a few shillings, was maliciously fired and consumed. All this was done to preserve tithes, and to maintain a sinecure Church; that was the evil, and that evil explained the whole present condition of Ireland. Deeply did he regret that the noble Chancellor of the Exchequer, whose opinions were so averse to any encroachments upon the rights of the subject, should allow himself to be dragged at the chariot-wheels of his colleagues, and made a party to these disgraceful transactions. He trusted that the noble Lord's character would again emerge from the cloud by which it was obscured, and that he would again become the advocate of freedom, and the friend of the oppressed. Let the House remember, that the system of spoliation began with seizing the property of a Catholic clergyman, as if purposely to outrage the feelings of the inhabitants of the same faith. The extraordinary powers already granted by Parliament had been conceded to such men as Lords Grey, Althorp, and Brougham—not to the Secretary for Ireland, who never would have been intrusted with them—but the people were grievously disappointed at finding that, in office, they had deserted the principles they had so long supported in Opposition. The fact was, that to quell disturbance in Ireland, it was only necessary to remove the cause of it, and that cause was the enormous Church Establishment. He did not consider this merely an Irish question; it was an English question, and of the deepest interest to England, since the state of Ireland must always, to her, be a matter of the highest importance. What did the Duke of Wellington say in his memorable speech on conceding the Roman Catholic claims? Why, "that he would rather concede any right, than risk one day's civil war." Here he was speaking as a statesman, although war had been his plaything; and surely it would have been no disparagement of the present Ministry, if they had taken this one lesson, if no other, from the noble Duke. The origin of existing evils in Ireland, was the disappointment of the hopes of the people who had been taught to expect relief; and was it just, proper, or natural, longer to place confidence in a man who had so deceived them? Nothing had yet been adduced to show that the existing laws, if duly administered, were insufficient; and the information brought forward was not only defective but partial. Last year, Ministers brought in a Bill, which he (Mr. Hume) highly approved, for establishing Lord-lieutenants in the counties of Ireland. He had supported it because he thought it would tend to abolish the faction of a Viceroy in the Castle of Dublin, and because he hoped, that through Lords-lieutenant, correct information might be obtained regarding the state of the country. What had most been wanted from Ireland was truth; hitherto intelligence from thence had been usually less correct than from a distant colony, and she had been constantly kept under military domination, generally for the purpose of maintaining the Protestant ascendancy. Now, he would ask, had any one of the new Lord-lieutenants supplied Ministers with a tittle of information to show that the existing law was insufficient? Had any public body met, or had any individual made a representation on the subject? Had any mortal breathing, saving the hired police, or perhaps a few clergymen, who were undoubtedly, in a pitiable state of suffering, supplied a single fact as the foundation for this Bill? All the Lord-lieutenants ought to be, but were not resident; and he called upon one he saw in his place, to state, whether he had thought it necessary to call the attention of Ministers specially to the condition of his county? Had the people, by resolutions at meetings, claimed the protection this measure was intended to afford? Not one; and all that was known was, that some few instances of disturbance had occurred in Ireland, for the suppression of which the ordinary law might be sufficient, if it were tried. Then, in the name of God, he asked, upon what did Ministers rely? What had induced those who had so long stood up as the champions of civil liberty, and the enemies of military despotism, at once to change their opinions, and to adopt this sweeping and atrocious measure? What had been brought forward in the shape of evidence? Nothing more than half a dozen, or perhaps a dozen letters from paid police officers, whose salaries depended upon the continuance of a state of disturbance in Ireland. He had always advocated equality of law—he had always voted for it; an invasion of part of the civil rights of the nation was an invasion of the whole; and he appealed to the House, whether it would consent to risk the civil institutions of twenty-two millions of people, by thus unnecessarily destroying the liberties of eight millions? He had hoped that the Union with Ireland would have led to equality of laws, equality of protection, and equality of happiness; but if this Bill passed, the Irish must bid adieu to any such expectation, and to the hope that 553 Members of the United Parliament would sympathise with the sufferings of the natives of Ireland. No stronger argument could be afforded in favour of the Repeal of the Union than this Bill would supply. The Union between England and Scotland, by connecting a rich with a poor country, had been productive of incalculable benefits to the latter, and the same advantages might be anticipated in the case of Ireland, and for the same reason, unless the dissolution of that Union were hastened by the misconduct of Government. It would be an act of the grossest misconduct to injure a whole nation for the sake of upholding one signal abuse—the Church Establishment. He put it to every Scotchman who heard him, what would he have done had England persevered in forcing upon Scotland, against her wishes, a Church Establishment? Would he not even now as his countrymen had done before him, resist such an attempt; ay, and resist it to the death, and drive the presumptuous invaders from the borders? Why were not the Irish to do the same? They were equally generous, equally zealous, equally courageous, and he trusted would be ultimately equally victorious. The swarms of paupers from Ireland with which this country was annually overrun were attributable to the same cause—the vain endeavour to support that at which common sense revolted. Let any English or Scotch Gentleman suppose himself for a moment in the situation of an Irishman, and let him think what seven millions must at this moment feel. Would then the English and Scotch Members consent to become parties to this Bill, which rivetted for ever the shackles of Ireland, and fixed upon the Roman Catholics the fetters they had themselves indignantly and successfully spurned? The Irish were not less brave, less industrious, less deserving, nor, since the term had been recently often employed, he would add, less loyal. When he looked for the evidence on which the measure was tested, he found none; and the title of it ought, in fact, to be, "A Bill to put down Daniel O'Connell, and to keep up the Military and Church Establishment of Ireland." In a few weeks the Members of that House, whose constituents were crying aloud for the reduction of taxation, would be told that it was impossible to reduce a single man of the 90,000 who constituted the army, on account of the passing of this Bill. That would be its utility. It was to put an end to the demand for reduction. In 1793, when the people of England called loudly for Reform and reduced taxation, what plan did the wily Minister of that day pursue? He changed his previous policy—he engaged the country in a foreign war—he took off the attention of the people from Reform and taxation (then only amounting to about 16,000,000*l*. a-year), and embarked in an expenditure, the load of which we were still, after the lapse of five-and-thirty years, compelled to sustain. The measure then before the House was brought forward like the crusades of 1793, to turn the attention of the people from their own concerns. He contended, therefore, that the House ought not to be induced upon any statement to pass it. The cases brought forward to justify it were exaggerated. Much sympathy had been claimed upon account of that of the reverend Mr. Houston. Why, what were the facts? Mr. Houston had seized goods for tithes, and had wrongfully seized them; and he had rendered himself generally unpopular. He did not mean to justify the act perpetrated, but there was nothing in it to justify or call for this Bill. So with the other cases. They gave no proof of general disturbances, but merely of local disturbances. Nevertheless, let Lord Anglesey resign, and let the right hon. Gentleman (Mr. Stanley) give up his place, and he (Mr. Hume) would support a strong measure. What he meant was, that the noble Marquess and the Secretary having so completely lost the confidence of the country, they ought to be removed. He said the right hon. Secretary had completely lost the confidence of the people of Ireland—of all those whose confidence was worth having. He did not say the confidence of that House, but, if hon. Members supposed that the confidence of that House implied the confidence of the country, they were much mistaken. They would soon find out that he was right. He had that night presented ten petitions against the Bill, and the House would soon find that the whole country was against it. The Bill was a gross departure from the principles of the Ministers themselves. In the Reform Bill they had expressly laid it down that they were anxious to depart as little as possible from the laws and usages followed; but now, according to the Paymaster of the Forces and the hon. member for Leeds, and others connected with the Government, the wider they went from the Constitution the better. Then why, in the name of God, did they put any limit upon the power of the right hon. Secretary? Why did they trammel him with military tribunals or any such incumbrances? They were told a few nights ago, that much which had passed in that House ought to be held in veneration. Was this a measure of that description? Who had ever before heard of such a Bill as this? Let them at once appoint the right hon. Secretary Pacha of Ireland, and give him the bowstring for his weapon of destruction. He (Mr. Hume) had not stated a single thing that was not strictly accurate. He was ready to prove that he was correct, and he asserted, therefore, that both the Lord Lieutenant and the right hon. Secretary for Ireland were convicted of utter incapacity. Nay, he went further, and he said, whether the right hon. Secretary was or was not incompetent, if the people of Ireland thought, believed, and felt him to be so, that was a sufficient ground for his removal. A people had as much right to good government as a sovereign had to allegiance. Ireland had not had good government, and the documents produced as a ground for giving her worse government would not be received in evidence at the Old Bailey. There was another ground upon which he objected to the Bill. It had been admitted upon all hands that the greater part of the miseries of Ireland had been occasioned by upholding one party to the prejudice and injury of another. Against that system the present Government had protested again and again, and yet this Bill was to oppress one party. It was to put down an individual who had the confidence of the whole of the Irish nation—of all the men in that country whose confidence was worth having. Let him satisfy those hon. Members who thought he was stating too much of the majority, and the great majority of the Irish people. They had all heard of the two kings of Brentford, who could not reign together. The fact was, that the right hon. Gentleman (Mr. Stanley) wished to be king of Ireland, but there was another man whom the people liked better. Who could doubt that such was the case, who had watched the proceedings in that House for the last three years? Who that had seen all the little, paltry, petty jealousies of the right hon. Gentleman against his hon. and learned friend could have any doubt that this Bill was to put down a rival? It was true, the Whigs had a precedent for legislating meanly against his hon. and learned friend, the member for Dublin. Witness the accompaniment to the Roman Catholic Relief Bill. But who could have thought the Whigs would have so degraded themselves; and who could yet think that the House—a free House of Commons—would permit itself to be dragged into such disgraceful conduct? Daniel O'Connell might be a great man, but this Bill would make him a much greater. The question for consideration was, not whether justice and peace should be given to Ireland, but whether one individual should be put down; thus to give despotic supremacy to another. What was it that had rendered Daniel O'Connell so powerful in Ireland? Why, the nation had been long oppressed by wrongs; and he had by his efforts in agitation compelled some relief. Agitator! Yes; his hon. and learned friend was an agitator; and the very nobleman who was by this Bill to to be made despotic in Ireland had said to the Irish nation: "Agitate, agitate; you have never got anything but by agitation, and you never will." And was it not strange that that very Lord Lieutenant was a party to the introduction of this Bill? The measure, however, if pursued, would fail of its object. All that had yet been done against his hon. and learned friend, the member for Dublin, in the way of persecution had only raised him in the estimation and confidence of his countrymen. Let them remove the grievances of Ireland, and Ireland would be tranquil. But why had not both bills come together from their hands? He complained that nothing had been done in the way of remedial measures for Ireland. They had coercion, but no relief. This Session, not one measure of kindness even had been proposed. Oh, the Jury Bill had been proposed. That, however, was only a payment of an arrear of last Session. But the Bill had been dishonoured; and, on the Royal Exchange of politics the noble Lord would be pronounced a bankrupt. The noble Lord, therefore, had no right to expect credit in that House, and from him he should not receive any. Let the House act wisely, and not proceed with this measure without adequate evidence. The hon. Member concluded, by moving as an Amendment, the following Resolution:—"That we deeply lament the disturbed state of some districts of Ireland, and are willing to intrust his Majesty with such powers as may be necessary to control and punish the perpetrators of outrage, and the midnight violators of the law; but we are of opinion that it has not been satisfactorily shown that the existing laws are not sufficient for such a purpose, and therefore we cannot give our consent to a Bill for placing his Majesty's Irish subjects out of the pale of the Constitution."

Mr. *Alderman Wood* was not aware that his hon. friend, the member for Middlesex, intended to have moved an Amendment, but as he had vainly endeavoured, on the former discussion on this Bill, to catch the attention of the Chair, and as he entertained strong objections to the measure, he was glad to avail himself of the present opportunity by seconding his hon. friend's Amendment. The measure before the House was too severe and despotic to obtain his support. Whilst he made that declaration, however, he must be allowed to add, that he did not think the members for Ireland and the gentry of that country did every thing for the best. It was not to the Government of Ireland, whether Whig or Tory, that he attributed the state of that country, but to the Magistrates and landholders; and it was to their exertions he looked, rather than to the acts of any Government, for restoring the public peace. He only wished that the landlords of Ireland would follow the example set by private individuals, and by companies belonging to this country, having property in Ireland. He might mention one Company, the Fishmongers' Company, which had an estate of about 20,000 acres in Ireland; and he knew that, for many years past, they had been doing all in their power to serve the country, and make the people who held under them happy. In the course of ten years, that Company had expended 70,000*l.* in improvements on their Irish estates, and he would only say to the great Irish landed proprietors, "Go thou and do likewise." One of his principal objections to the present measure was the establishment of Courts-martial. He did not say, that twelve military men might not form an excellent Jury if they decided as Juries did upon the principle of unanimity, but he could never consent that the liberty of the subject should be dependent upon the opinion of three young officers, none of whom were, perhaps, above twenty-one years of age. After an attentive consideration of all that had been stated by his Majesty's Ministers, he must say, that, in his opinion, they had not shown any sufficient reason for adopting a measure of such extraordinary severity. For his own part, as he had never given a vote in that House, or elsewhere, against the liberties of the people, he never would do so, whoever might be Ministers, or however much he might be disposed to support them on other questions.

Mr. *Tancred* had listened with the greatest attention, and with the sincerest desire to arrive at an impartial judgment on the subject under discussion, to the arguments which had been urged from both sides of the House, against and in favour of the present measure; and he had most reluctantly imbibed an opinion, not only from what had been stated in its defence by the Government and those who supported it, but also from the statements of the hon. Members from Ireland who were most opposed to it, that, unless it was carried into effect, Ireland could not exist longer in her present condition, and the inevitable result must be, that all the bonds of civil societywould be separated. He felt that the Legislature of the United Empire was bound, by the most sacred of all their engagements, to extend protection to the peaceable and well-disposed inhabitants of Ireland, who were now left a prey to the remorseless and unprincipled depredators and disturbers of the public peace, by whom their lives, their properties, and the safety of their families, were constantly threatened; and on that ground alone, he felt it to be his imperative duty to support the Motion for the second reading of the present Bill. Having given this subject the best attention in his power—having also listened to all the statements made in that House relative to the present condition of Ireland, and having carefully read the evidence attached to the report on the state of Queen's County, which he must say, deserved the greatest credit—he had, after the deepest consideration of all these collateral proofs of the disorganised and lawless state of Ireland, come to the conclusion that her present wretched condition was to be attributed more to moral and physical causes than to the political evils of which she so loudly complained. It also seemed to him that a great delusion was practised upon that House when hon. Members from Ireland talked to them of the resistance which was offered to the continuance of these evils by the seven or eight millions of population contained in Ireland. He really looked upon this immense population to be one of the chief roots of the evil, for it was evident that the wretchedness occasioned by the excess of population was only exceeded by the still greater degree of wretchedness which was caused by the brutal recklessness and the ignorance in which the great mass of the people of Ireland were steeped. Here it was, that the real scourge of Ireland was to be looked for: in these causes might be traced the source of all the evils which now afflicted her. How the priesthood of that country, whether Catholic, Protestant, Presbyterian, or other dissenters, had suffered the people under their spiritual charge to grow up in such reckless and violent habits he knew not, nor could he explain it in any manner which could reconcile him to the belief that they had done their duty; for no one could deny, that the unbridled and intemperate excesses of every description which were daily committed in Ireland, were unexampled elsewhere; and the feet of men there were more swift to shed blood than in any other country on the face of the earth. It seemed, therefore, to him, that the greatest danger in the present situation of Ireland was to be looked for in moral causes to which he had adverted; and he must take that opportunity of expressing his dissent from the statement of an hon. Member who, in some observations he had made upon the Bill, had expressed his reliance on the evidence contained in the report to which he had alluded, given by Sir Hussey Vivian, who asserted, that the present condition of Ireland was entirely the result of political causes. He attached the greatest credit to that gallant Officer's evidence; but he must say, that the bulk of the evidence before the Committee proved the very reverse of what he had asserted, as the House would find, if they took the trouble to refer to the statements made by Mr. Barrington, Mr. Keogh, Mr. O'Connor, and Mr. Cassidy, who united in asserting that the extreme wretchedness of the people of Ireland, and of the low scale of morals there, was to be attributed entirely to the poverty and distress from the low rate of wages, and the want of employment amongst the labouring classes of that country. In order, however, to bring his assertion to a more direct proof, he would refer to a statement wherein a comparative judgment might be formed on the difference between the moral state of the people of Ireland and of England. As another proof that the cause of the state in which the Irish now were was not a political one, he would read a short list of the species of crime they committed. The short extract he was about to read was from Baron Smith's charge to the Grand Jury of the Queen's County, at the Lent Assizes of 1832:—"I find here a calendar consisting of 150 cases. Of these, twelve are charges of murder; six of conspiracy to murder; nine of manslaughter; eleven of rape; five of child-murder, and its appurtenants; eleven of abduction; forty-one of house-breaking, assaulting dwellings, and robbery of arms; nine of shooting at persons; two of administering unlawful oaths; and twenty-two of violent assaults." Now, as another proof in favour of his position, he would take the population of the Queen's County—though he had not the census of 1831—and he would take it at the last calculation made out, and suppose the amount to be 134,000. Let one of the smallest English counties be taken—the county of Dorset for instance—the population of which, according to the census of 1831, was 159,000. Allowing for an increase of population in the Queen's County, the amount of population in both counties might, at the present time, be considered pretty nearly the same. He would call upon hon. Gentlemen to consider the relative amount of crime in both counties, and see whether the same proportion existed between population and crime. It did not; and he was inclined to think, that want of employment was the cause why the balance of crime was against the Irish county. He was ready to acknowledge that, as it had been stated that the Irish labourer earned 6*d.* and 8*d.* a-day, there was something beyond poverty which urged him to the commission of crime. From the statements that had been made last night in that House, it would be seen, that on an average the Irish labourer was not worse off than the English labourer. He appealed to the statement made by the hon. member for Oldham (Mr. Fielden) last night, if such was not the case. It could not be entirely through poverty that the Irish labourer was so prone to crime, but rather from immorality and want of employment, for he passed seven months out of twelve in a state of idleness. Among the other causes to which might be attributed the present state of the Irish people, was the change in the prices of the produce of their soil since the peace, and the change in the manner of cultivating estates, which change had not been introduced by the landlords with sufficient caution. By this latter change, the density of the population had been increased, which tended much to cause the present state of Ireland; and until the redundancy of population was got rid of cautiously, and in a way not to exasperate the Irish people, the present state of things must, in a great measure, continue. Another source of evil in Ireland was the tolerating of vagrancy and mendicity. In fact, on whatever side he viewed this frightful subject, he saw that there were moral and physical causes sufficient to account for all the evils of Ireland, totally independent of her political situation. These causes had been accumulating, not for one, or five, or ten years, but, as was asserted by an hon. Member, they were the growth of many years; and let them call the disturbers of the peace there what they would—Ribbonmen, or Caravats, or Whitefeet, or Blackfeet—they all resulted from the same cause—namely, redundancy of population; and their first object, after applying the right measures to suppress those disturbances would be, to endeavour to remedy the cause, and to strike at the root of the evil. He would repeat, that a redundant population was the source of many evils to that country, and that proper steps should be taken to find out a remedy for it. When he reflected, and saw many remedies proposed in the volume he held in his hand—when he knew that several remedial plans were advised, among the chief of which was a system of Poor-laws to be applied to Ireland, though he could not decide whether those plans were good, still he thought that they should be properly taken into the consideration of that House. He maintained that great national evils should be considered and treated as mental evils, wherein, as the poet says, "the patient must minister to himself." The Irish should minister to themselves; and he called upon the gentlemen of that country to endeavour to raise the moral tone of the people; and if they could not propose to them a speedy issue out of their privations, to inspire them at least with patience under their sufferings. Among the remedies proposed for Ireland, he could not help mentioning one. It was not one of those remedies whereby oil was poured into the wounds of the patient; or if it proposed pouring oil, it was oil of vitriol, which would rankle in these wounds until it made them completely gangrenous. Of course he alluded to the remedy proposed by the hon. and learned member for Dublin—that remedy was agitation! He doubted whether, under any circumstances, such a remedy was good—whether it was good for evils arising from political sources—but of this he was sure, that for the evils of the people arising from poverty, wretchedness, and bad and immoral habits, such a remedy was the most dangerous ever invented. No remedy, indeed, could be effectually applied until an alteration was made in the causes of evil he mentioned. He felt, in common with the greater part of the Members of that House, that many parts of the Bill were excessively severe, and he, as they, would, if any substitute for those provisions were pointed out, consider themselves as relieved from a great weight. Notwithstanding, he confessed that many of the most obnoxious provisions of the present Bill had appeared not only palatable, but were solicited by those who best knew the state of Ireland. It had been asserted in that House, that the Select Committee on the state of Ireland had advised measures very different from the present ones, and that the Committee stated, that Special Commissions would be a sufficient remedy for the evils they had to inquire about. He would refer to the Report of that Committee to prove that no such remedy was advised. The Report says—"The practice of having recourse to a Special Commission, as the means of carrying into effect a vigorous application of the rigours of the law, has led to this, the committal of crime before the enforcement of the law had produced a remedy; and while this practice is the sole remedy which is had recourse to, the same result will necessarily occur, because the expense which attends the sending down a Special Commission, and the difficulty of making out a case for it to act upon, must lead to postponing the appointment of it until a long time after an illegal conspiracy has commenced its operations. In point of fact, although the law has in general proved sufficiently strong and effective for the ultimate suppression of Whiteboy Associations, it has not been effectual in affording protection to the public against being exposed to the crimes and atrocities of those conspiracies for a considerable period previous to their being completely repressed." This was evidence that it was not fit to make the public await the slow and vindictive punishment of a Special Commission, but that some protection which could be instantly brought into operation should be given. He would ask whether a Special Commission would be adequate in a case like the following?—He had seen a notice, copied from one of the Dublin papers; it was signed "Peter Clinch," and dated Invulnerable Lodge. It was addressed to a poor peasant, commanding him to give up the spot of land he held, and it concluded with the advice that if he did not obey the mandate, to apply to his Priest for spiritual aid and comfort, for the consequence of disobedience would be death. Let the case of the person who received this notice be reflected on—let his fear and anxiety, under such a threat, be brought under consideration—and then let hon. Gentlemen say, that Special Commissions were an adequate remedy for the urgency of such a case. When hon. Gentlemen cried out so strongly against the suspension of the Constitution, they should consider that the *Habeas Corpus* was originally destined for other purposes than for the protection of nocturnal assassins. It was intended for the protection of the higher classes, and not for that of the gross mass of the population; it was intended to protect virtuous citizens from the arbitrary power of the Crown, and was never intended as a shield for those whose outrages placed them under the protection? no, but under the sword, of the law. Under the present circumstances the *Habeas Corpus* Act would not be of half the benefit to the lower orders that its suspension would be; for the present measure would withdraw them from the tyrannical influence of those dangerous associations which existed in Ireland. He had but one remark to make about domiciliary visits—namely, that the nightly visits of the police were far preferable to those of assassins. For the reasons he had given, he would support the present measure. It was called for by the necessity of the case—it was bad in the abstract—but as a clear case of necessity had been made out, he would vote for the Bill, however painful it might be to his feelings.

Colonel *Conolly* said, that he would not have presented himself to the notice of the House, had it not been for the incorrectness of the statements made by the hon. member for Middlesex whose speech, from beginning to end, betrayed the most extraordinary mistake as to the condition of Ireland, arising either from total misapprehension or total misinformation of the facts of the case as regarded that country. He had, on all occasions, been the opponent of the present Ministry; but when he heard the hon. member for Middlesex designate the Members composing that Ministry as the agitators and destroyers of Ireland, thereby screening from public view the individual who was in fact the prime mover of all the agitation and outrage so unfortunately prevailing, he felt it was but an act of justice to them to rise in his place and disabuse the House of the impression which the speech of the hon. Member was calculated to make. Frequent appeals had been made to the House against the infringement on the liberties of the people which the Bill was alleged to contemplate, and the terms of tyranny and despotism had been lavishly employed in designating its provisions. He, however, would beg to ask, if it was a part of British liberty to tolerate tyranny merely because it did not originate with the Crown? Was it part of the liberty of the subject to endure oppression, let it come from any quarter? He assured the House that the people of Ireland, so far from viewing the measure as a tyrannical or despotic one, claimed it as the means of ensuring to them that protection to which, as British subjects, they were entitled in return for their allegiance. For his part he would resist tyranny in every shape. It was equally dangerous, whether manifested by outrage and violence, or in the insidious form of passive obedience—that quibble, that mean stratagem, that cowardly artifice, by which crime was screened from its merited consequences. The prospect of impunity was one of the most effectual means by which crime was propagated, and until an end was put to that system of tyranny, by which the agitators of Ireland were enabled to offer that prospect to those whom they deluded, the progress of outrage would not be effectually checked. "Punish the midnight marauder and the daring Whitefeet, but do not destroy the liberties of a whole country," was the cry of the opponents of the Bill. He (Colonel Conolly) would prefer seeing punishment inflicted on the principals, the promoters of agitation and outrage, who, while they managed to screen themselves from responsibility, sought to sacrifice those whom they induced to violate the laws of their country. It was said, that justice was wanted in Ireland. True, it was imperiously wanted. It was wanted to meet those who, by a jesuitical sophistry, and by a cowardly stratagem, sought to evade it. His principal motive in supporting the Bill was, that it was calculated to drag from their concealment those designing agitators who lurked behind backs—because it would catch the lion, and with it all the other animals that surrounded—all those little jackalls who aided the lion's designing plans. If the Bill was so successful—if the lion and those jackalls were caught in the net spread out for them—sure he was, that it would not be necessary to enforce the harsh provisions of the Bill, and those who were led on to a violation of the laws would in the end be preserved from that utter ruin and destruction in which their reputed friends wished to involve them. Before concluding, he wished to make one observation respecting that provision which related to the Courts-martial. It was said they were likely to be prejudiced against the people. Such a charge argued, he thought, the grossest mistake, and could only be founded either in total ignorance or wilful injustice. From the experience he had had of such Courts, he could safely assert that no body of men were less likely to act from prejudice in the discharge of an important duty than the officers of the British army. He thought that the departure from the line of the Constitution which the Bill proposed was not only called for, but extremely judicious. Perhaps it might have answered to have kept within the extreme bounds of the Constitution; but he fully agreed with Ministers in thinking that, when any departure from the ordinary line was necessary, it was much better to take that course which could establish no precedent, and which never could be hereafter adduced in support of Ministers when they wished to do wrong. Looking at the measure in any point of view, he thought it was sanctioned by necessity, and offered every reasonable prospect of attaining the desired object. He would resist the amendment which the hon. member for Middlesex had moved, with the view of impeding its second reading.

Mr. *Richards* regretted, that he had not obtained the notice of the House in the debate on the first reading of this Bill; because, approving as he did, of the two first enactments of the Bill, and, to that limited extent, wishing to support it, he should, if he had had an opportunity of delivering his sentiments, have voted for the first reading, instead of against it. But he would never on any occasion, consent to vote for the suspension of one tittle of the liberties of any portion of the people, unless he was previously allowed, in the face of the House and of the country, to explain fully his reasons for doing so. An hon. Gentleman had asked, "whether there be a single Member of this House who would vote for the suppression of the Political Unions which have been organized in England?" To that question he would answer, that he was ready to vote for the suppression of such societies, either in England, Ireland, or any other part of the kingdom in which they might exist. Before the passing of the Reform Act, he had thought it not only proper but necessary to agitate. He had been himself, he was ready to admit, an agitator. The Representation of the people was then a mockery. But now, when the Reformed Act had passed, and the people were fairly and fully represented in the House, it was presumptuous in any set of men, to endeavour to promote the continued existence of organized political associations. Such associations might, in these times of difficulty and distress, give a direction to the popular feelings, fatal to the lives and fortunes of individuals, and dangerous to the State itself. They might destroy confidence and credit; and thus involve all in one common ruin. For the sake, therefore, of the people themselves, he would suppress these associations. Besides, from what he had seen of Gentlemen in that House, no men could be better disposed and more ready to consider the causes of the national distress, or more anxious to discover and apply those remedies which were likely to cure that distress, than they. They were intelligent and desirous to advance the interests of their country. But although he considered the continued existence of organized political associations both inconvenient and dangerous, and was, therefore, willing to vote for the two first enactments of the Bill, he could not consent, on any evidence which had been adduced, to deprive the Irish nation of the writ of *Habeas Corpus*, the Trial by Jury, the right of petition, and the liberty of the Press. And, still less would he consent to inflict on the peasantry of Ireland Martial Law;—driven as he believed that peasantry to be, to desperation, by distress. In the course of the discussions on this Bill they had heard very frequent mention of Blackfeet and Whitefeet; so that a stranger might be led to suppose that hon. Gentlemen were speaking, not of the peasantry of Ireland, but of savage wild beasts. The use of these barbarous terms had a great tendency to mislead the mind; and it would be well if hon. Gentlemen would not only lay aside the use of these terms, but seriously reflect on the causes of those atrocities which had led them thus to characterize the naturally lively, gay, jocund peasantry of Ireland. The hon. member for Banbury, in common with the right hon. member for Tamworth, and most other hon. Gentlemen who had spoken on their side of the question, had brought into bold relief the crimes that had been committed in Ireland. The right hon. member for Tamworth in advocating the passing of the Bill, exclaimed: "Are we agreed as to the facts of the case?" He then enumerated a list of crimes. No one disputed that crimes had been perpetrated; and that it was fit and necessary that these crimes should be repressed and punished. The great question, however, for that House, as legislators, was, what were the causes which had led to the commission of these crimes? Men did not indulge in systematic murders for the mere sake of murder. Yet murder was committed in Ireland on a system. What was the cause of this? Alas! hunger and misery were the immediate cause. No hon. Gentleman so far as he could recollect had described the want and misery under which the peasantry of Ireland laboured. The right hon. member for Tamworth did certainly say, "no doubt there is some privation." And the hon. and learned member for Dublin did, for a moment, touch eloquently on the subject. The independent part of the Press had indeed depicted, in glowing colours, their distress. In bold, manly, fearless language, the Press had done its duty; and he begged the conductors of that Press to accept his thanks. It had not only painted the misery of the Irish poor, but pointed out the remedy for it. He meant no disrespect to the noble Lord opposite, but, on the subject of the situation of Ireland, the Press appeared to him far in advance both of him and his colleagues. In order to show the state of the peasantry of Ireland, he would, with the permission of the House, read part of a letter which he had received a few days ago, from a gentleman in Ireland [*Question.*] He appealed to the Speaker, whether he was not speaking to the question? Was it not desirable to hear statements of facts from persons of undoubted credit who resided in Ireland? Was information of this kind of no value? There were some hon. Members—he hoped their number was small—who were quick to perceive, and eager to expose, trifling imperfections and venial faults, arising from want of practice in the forms of that House; but who were blind to what was useful, and regardless of what was valuable. He was speaking strictly to the question; and he would ask those hon. Gentlemen who had dared to interrupt him, to listen to the facts which he had to detail. His correspondent said: 'A perusal of your 'speech has induced me to send you the 'inclosed picture of two parishes in the 'province of Connaught; applicable, I 'regret to say, to one-half at least of 'the south and west of this most wretched 'country.' The picture this gentleman spoke of was contained in a printed paper, which he held in his hand. It was an extract of a letter from a clergyman residing in the county of Galway in 1831. It said: 'The misery of the great bulk of 'the people here exceeds my powers of 'description. Their condition is the most 'wretched of any people who have come 'within my observation; not only in this 'period of distress, but ever since I have 'been acquainted with them; and yet 'there does not exist a body of people 'more averse to outrage, more observant 'of the laws, or more obedient and re'spectful to the constituted authorities. 'Their ordinary condition you may form 'some inadequate idea of, when I assure 'you, that I know, of my own knowledge, 'that they are not half covered, night 'or day; taking an average of the number 'attending divine service, they are, at 'most, as three to five of the adults, the 'remaining two being absent through 'nakedness; attending on alternate Sun'days, as "the round of the rags" may 'reach them. Their beds are never better 'than straw or wet grass, and rushes 'in the summer season; and, as for their 'food, they would never sigh forth one 'single murmur, if they had, even twice a 'day, a competent portion of dry potatoes. 'Should you know any gentleman ac'quainted with the poor in this district, 'I fearlessly appeal to him, whether the 'statement I have made be not the truth, 'the whole truth, and nothing but the 'truth.' Would the hon. Gentleman who interrupted him, say, that the statement he had just read was not to the question? The right hon. Gentleman, the Secretary for the Treasury, with that good sense and sound judgment which distinguished him, had observed, the other night, "that misery is the fruitful parent of crime;" and Lord Bacon said, "that almost all insurrections of the people may be traced to the belly." In this sentiment he concurred; and he attributed the predial disturbances which now afflicted and distracted Ireland, to want, and hunger, and misery. If he possessed the eloquence of the right hon. member for Tamworth, he would attempt to depict to the House the distress which, in numerous instances, was found in an Irish peasant's cabin—he would describe the helpless father of a family, (helpless and miserable from no fault of his own, but from the total want of employment,) sitting in his wretched cabin, huddled, with his wife and children, over the dying embers of their turf-fire, his head hanging on his breast, apparently insensible to the cries of his children for food—he would describe the mother, with pale cheeks and sunken eyes, looking sorrowfully, first at her half-famished children, and then at her husband: the husband, unable to afford any assistance, remaining sad, silent, and thoughtful, brooding over the means by which he might possibly procure some subsistence for those who looked to him for support — he thought, for a moment, of the splended mansion-house in the neighbourhood; but the owner was in England, or in France, or in Italy, enjoying the produce of his estate, but wholly reckless of the condition of those whose lot was cast in the neighbourhood whence he derived his income: from him, therefore, there was no chance of relief; and that House, which ought to protect the distressed and the needy, and those who had none to help them, had made for the poor of Ireland no legal provision. In this state of mind and body, the wretch he had described was visited by a man almost equally wretched: suddenly there was a noise—a step was heard at the door—a man (an acquaintance, perhaps) entered, full of grief and agitation, and cried—"I, also, have had my plot of land taken away from me; let us send a notice to quit to those who have possessed themselves of it." The half-starved peasant, to whom this was addressed, raised his head—a ray of hope flashed across his mind; and he lent a willing ear to any plan which afforded even the slightest chance of bettering his condition. The notice was sent—it was disregarded; and these men, goaded to madness by despair, and looking at their wives and children, perpetrated deeds at which humanity shuddered and wept. He would ask hon. Gentlemen from Ireland, whether the competition for land, and the want of employment, was not the cause of the predial disturbances in Ireland? These Gentlemen said yes! He, therefore, differred from his Majesty's Ministers as to the sort of measures required for Ireland. He should think himself disgraced if he were to offer any factious opposition to Ministers; but the remedy they proposed was the clumsy one of brute force, and, standing there as a Member of the British House of Commons, he could not give his consent to measures, the fitness and necessity of which, were not borne out by the facts and circumstances of the case. He hoped there was no presumption in saying this; he assured hon. Gentlemen that he never entertained so humble an opinion of himself as he had done since he became a Member of that House. He must repeat, that no case was made out to warrant the coercive measures which were proposed. In the preamble of this Bill it was stated, "that a dangerous conspiracy exists" [*Question*]. He had listened with the utmost attention, for five long nights, to the speeches of hon. Gentlemen — speeches, several of them, of one and two hours' duration—speeches which reminded him of the *crambe repetita* of Juvenal; for never were the Roman soldiers more tired of sour cabbage, than he had been of the statements, *decies repetitæ*, made by hon. Gentlemen of outrages in Ireland. Not one, however, of the Gentlemen who had spoken, had traced these outrages either to their immediate or remote causes. And was he to be interrupted because he had attempted to do so? In the preamble of this Bill it was alleged, "that a dangerous conspiracy existed in Ireland." He had given the closest and most painful attention to the statements of his Majesty's Ministers, in order to ascertain if they could prove the truth of that allegation. But he had been able to collect nothing from those statements which proved, in the slightest degree, the existence of any conspiracy. Indeed, if he were sitting as a Grand Juror, he should, acting on his oath, feel bound to ignore, on such evidence, a bill for petty larceny. No one admired more than he did, the candour and sincerity of the noble Lord, the Chancellor of the Exchequer; and he had not attempted, in the detail of the outrages which he enumerated, to show any connexion between what had been called predial agitation and political agitation. The noble Lord had not attempted that; and the feeling of the House seemed to be, that his case had failed. But, then, what did the right hon. Secretary for Ireland do? He got up, under some excitement; and, with that fervid eloquence, in which he excelled any other member of the House, endeavoured, with less sincerity than the noble Lord, but with more art, to mislead the House. He appealed to their passions and their feelings—not to their reason and their judgment. With somewhat of theatrical effect, he took out letter after letter from his red box, (differing, in that respect only, from one of his predecessors in office, Lord Castlereagh, who used to encase such documents in a green bag), and read from them extracts giving details of outrages in Ireland; which, rendered more striking by the right hon. Gentleman's great powers of description, did, certainly, produce on the minds of those hon. Gentlemen, who were influenced more by their feelings than their reason, a very considerable effect. But what was the nature of the evidence which the right hon. Gentleman adduced? Would it be received in any court of justice in the kingdom? Would these anonymous letters—would the wretched ballad—be received? No. The ballad, indeed, might be well calculated to excite a prejudice against the hon. and learned member for Dublin; and, if used with such a view, it was utterly unworthy of the right hon. Secretary. He did not wish to diminish the reputation of the right hon. Secretary and to injure his character. For, looking to the clear, able, statesmanlike manner in which he introduced his Bill for reforming the Grand Jury system in Ireland, he (Mr. Richards) was of opinion that there was no statesman living from whom, when he should have acquired greater experience, more might be expected; nor any one whom the country regarded with greater confidence and hope. But, in the present instance, he had completely failed. He had endeavoured to eke out his case by bringing under the notice of the House some imprudent language used by a Mr. Steele; and also similar imprudent language, made use of, on a recent occasion, by the hon. and learned member for Dublin. But the Irish nation was not to be deprived of its constitutional rights and liberties on the alleged indiscretion of either, or both, of those two gentlemen. But then came the right hon. Baronet, the member for Tamworth; and he endeavoured to prove a conspiracy, by bringing forward a story of papers having been found on a certain person thirty-five years ago! At that time, hon. Gentlemen would recollect, there was a French party in Ireland. Was there any French party now? But, whether there be or not, was there anything to connect the hon. and learned member for Dublin with an individual who, in 1798,—he did not dispute the fact,—was taken with treasonable papers upon him? The right hon. Baronet appealed, also to the feelings of the House. In eloquent, touching, pathetic language, he described a case of most cruel murder which happened sixteen or twenty years ago. Nobody doubted the fact. There was no difference of opinion as to the enormity of that and similar crimes which had happened in Ireland. But he would dispute and indeed wholly deny the monstrous conclusion of the right hon. Baronet, that those outrages had been occasioned by political agitation: and, as to a conspiracy, there was not the slightest evidence whatever to show that any such thing existed. He could imagine, if the right hon. Baronet could not, some motive other than that of wishing to create predial disturbances, that political agitators might have in view, namely, the obvious one of frightening the Government to do justice to Ireland. He would repeat, that the great question for that House, as legislators to consider, was, what were the immediate and remote causes which occasioned the frequent commission of crime in Ireland. But these the right hon. Baronet appeared not to understand. He admitted, that the poor laboured under some privations. Some privations! why thousands of them were actually starving. Who could be more wretched than the peasant out of employment? What resources had he? Destitute of food he might in forty-eight hours become as helpless as a babe, [*cries of* "Question"]. Sir, said the hon. Member, I am speaking to the question though the House will not listen to me—I am no noble Lord—I have no aristocratic blood circulating in my veins, but I am here as the representative of a respectable constituency fearless and regardless of the interruptions with which the remarks which I venture to make on this important Bill may be received, and I treat those interruptions with contumelious contempt." He was prepared (continued the hon. Member) to prove—but he dared not and would not wait to do so in the present temper of the House—he was prepared to prove that the alteration in the value of money, and the want of Poor-laws, were the real cause of the outrages and misery of Ireland; and he thought that those who attributed the outrages to any thing done by the hon. and learned member for Dublin, or any other man, were far from knowing the real cause of the evils of that country.

Lord *Oxmantown* rose principally in order to afford the hon. member for Middlesex the information he wanted, and to make a few observations on some of the statements of a few of the hon Members of that House which had led to so much of the opposition which had been offered to the Bill. He did this with those feelings of regret, which he always had when he intruded himself upon the attention of the House; but the revolutionary party in Ireland, owing to very peculiar circumstances had obtained such an extraordinary political power that if he did not explain himself, and make a statement of facts, he should justly be exposed to the charge of shrinking from the discharge of a very necessary but a very painful duty. Owing to the lateness of the hour, and to the extraordinary state of the House, he had not previously risen to contradict the unfounded assertion that the King's County was in a state of perfect tranquillity. Never within the walls of that House had there been a more unfounded statement. If the House would bear with him but for a moment he felt sure that he could convince the hon. member for Middlesex, and the House itself, that every thing possible had been done by the Magistrates to suppress the disturbances of the King's County, and that there now existed such a case of overwhelming necessity as could alone justify the measure before the House. Until two years ago the King's County had been in a state of perfect tranquillity but the minds of the peasantry had been very much disturbed and excited by the hopes they entertained from the Committee of that House which had been appointed on the state of Ireland; for they hoped and expected some great political convulsion, which would have the effect of entirely putting down the upper classes of society, and causing a different distribution of property. As an instance of the peculiar effect of such a state of society he should beg leave of the House to call its attention to one case. It had long been the practice in Ireland to grant leases on three lives, a period he believed much longer than was usual in this country. The consequence was that the tenants were long in the possession of the land on the terms of paying only one-third, or perhaps one-half of the value of the rental. The tenants so circumstanced might become rich, and in process of time they might become proprietors of small estates. Such, at least, would be the case in England, where the people directed their industry and guided their conduct with a view to increase their respectability, and to raise themselves and their families in the scale of society. But this excellent feature in the English character was not witnessed in Ireland. He could mention more than a hundred instances where tenants had been so circumstanced, and in not one of those instances had a single tenant raised or tried to raise himself in the scale of civilization. Their practice was, to keep for themselves only half the land, and that half they cultivated in the most imperfect and slovenly manner; and their delight was, to spend all their time in some alehouse, talking politics, and thus, when their leases expired, they were found to be no better off in circumstances. It was this perpetual state of political excitement which paralyzed all industry, and deteriorated the character of the Irish peasantry. Two years ago a tithe meeting had been held in King's County, and from that moment the county had not been free from disturbances. As soon as the outrageous character of that system was manifested a meeting of the Magistrates was held, and every thing was done that was thought likely to have the effect of checking disturbances. Notwithstanding all this, the system, he was sorry to say, gained ground throughout the country, and at the present moment he regretted that he was obliged to state to the House that the country was in a state the most disturbed. He would beg leave to read an extract from a letter he had received upon the subject only by that day's post. The writer said—'I am sorry to see that 'so many of the English Members of the 'House of Commons lean against the 'coercive measures, and I feel that they 'do not understand the state of this 'country. They say that redress should 'precede coercion, but it is the peaceable 'and respectable part of the inhabitants 'that require redress. When they are 'under the terror of those banditti, and 'are obliged to barricade their doors every 'evening—when they cannot venture out 'of their houses after nightfall—when 'they cannot go about their farms or even 'their gardens without arms to protect 'them—when they are fired at from behind 'hedges and waylaid, and when all social 'intercourse, except in open day, is interrupted—and when no Protestant Clergyman can go to his duty from fear of 'being assassinated, such people require 'redress, and not the lawless whom the 'coercive measures will affect.' He had no hesitation in assuring the House that this letter contained an accurate description of the state of the country. There had been thirteen robberies, twenty-three burglaries, thirty-two burnings, eighty-six assaults, 191 notices, twenty-four illegal meetings, thirty-one cases of injury to property, twenty-three to cattle, twenty-four to houses, and twelve homicides, in that county in the last year. When the system had commenced, it had been directed against all individuals, without any distinction; but now the contest lay between the Roman Catholics and Protestants. The Protestants knew their disparity of numbers, and felt how unavailing were their struggles. The Magistrates and political authorities had made every exertion to suppress such a dreadful state of tyranny. Assemblies to resist the law were but too easily formed. The revolutionary reformers met together, and were prepared for the commission of crime. They bound themselves by an oath to be true to each other, and to act when called upon. They next supplied themselves with arms, and their arrangements were so made, that no persons ever went to commit their outrages where they could be known. They crossed fields, they traversed bogs, and they never came in contact with the police, or if they did, and a contest took place, they abandoned the wounded man to his fate; and, although he was sacrificed, he never betrayed his companions. There were instances of this which had come within his own knowledge. An armed party of twenty had once proceeded to attack a farmer's house for the purpose of collecting arms. They waited outside for an opportunity of finding the door open and rushing in to effect their criminal purpose. This opportunity did not occur, but, after waiting some time, they caught one of the farmer's sons, a lad of fourteen or fifteen years of age, and they ordered him to go to his father's door and open it. He refused, and they threatened to shoot him. He still refused, and they beat him unmercifully with the butt-end of their muskets but in vain. They then went to the door, and showed the father that they had caught his son, and threatened to murder the boy if the door was not opened. The farmer had two other sons, who quickly armed themselves, and the party outside fired a volley, without, however, hurting any body. The persons within the house fired and shot one of the assailants, and wounded another, when the rest of the party made off, and left the wounded man in possession of the other party. The wounded man was then conveyed to the hospital, and the Magistrates attended there. At length the father of the wounded man came to the hospital and requested to see his son. This was of course granted, and all that the father wanted was, to say: "Son, hold fast, and die like a man." Let the House recollect the state in which the son was placed, wounded and taken in the commission of the crime, and judge from it, whether in such a state of the peasantry, the ordinary power of the law could be sufficient to restore tranquillity, and to protect the lives and property of the well-disposed and valuable members of society. The combinations of the people had been formed in the first instance for political objects, but they were now made applicable to all other purposes. The Terry Alt law came in constant competition with the law of the land, and invariably put it down. If two laws came into competition, that which was the most powerful, and was sanctioned the most by the people, would be sure to get the upper hand of the other; and the truth of this had been fully established in the state of Ireland to which he was now alluding. In fact, the law which had the power to punish with most certainty, and with most severity, was sure to triumph. If any man should transgress the law of Terry Alt he was sure to be attacked by night or day, in going to the fair, or returning from the market, or upon some other occasion; and he fell a sacrifice sooner or later. No man could escape with impunity; whilst if a man violated the law of the land he was as sure to escape with impunity. Of 490 crimes committed last year in the King's County, only twelve as yet had been brought to trial, and he believed that, in all, not twenty would be brought to trial and convicted; so that the chances of escape were about twenty or thirty to one, and which, in fact, was saying, that offenders against the law of the land were almost certain of an impunity. The law of Terry Alt, therefore, had put down the law of the land. The hon. member for Middlesex had talked of the Special Commissions, and had declared that they were the proper course for the prevention of crime. He had argued in this way because the Special Commissions had been effectual in the county of Clare; but he must tell the hon. member for Middlesex, that the state of Clare had been totally different from the system which now prevailed throughout the disturbed districts. In the county of Clare the crimes had been committed by daylight, but they were now perpetrated in the King's County, so that no evidence could be procured to convict the guilty. He would defy any Gentleman to point out any way in which the Special Commissions could by any possibility be made effectual under the circumstances in which the outrages were now committed in the King's County. Hon. Members had set themselves most strenuously against Courts-martial, but he would with reference to Courts-martial say, that they comprised none of the objections which had been urged against them with respect to the new offences. One offence, for instance, was, that of a man's being out of his house at night after a certain hour, and the evidence in such cases could not be difficult to collect, for it would consist of the police officers and the Magistrates who had caught them out of their houses. The Courts-martial were not to supply the evidence, but it was a tribunal which was not to be intimidated; and he could bring forward many strong facts of Jurors being intimidated, notwithstanding what he had heard said to the contrary in that House. A statement had been made by the hon. and learned member for Dublin, that there was no evidence to show that any witnesses had been recently injured on account of evidence which they had given against criminals. He had felt astonished when he had heard the hon. and learned Member make the assertion. It was notorious to everybody who knew anything of Ireland, that a very great number of the numerous assault cases that occurred in Ireland were committed on the persons who had acted the part of prosecutors or witnesses, not only in criminal proceedings, but in civil cases. As a Magistrate he could say, that he knew personally, at least forty cases of this sort at the Quarter Sessions alone. Proofs of this fact could be easily obtained by applying to the Assistant Barristers. There was a part of the Bill to which he found the hon. and learned Member entertained a still stronger objection, and this was a part which appeared to him to be essential, and he hoped he should succeed in showing, that however plausible the objections might appear, they were, in fact, without any foundation. He alluded to that part of the Bill which authorized the Magistrates of Police to enter houses by night. It had been stated, that when a similar power had been given to Magistrates on former occasions it had been very much abused, and that many cruel and scandalous offences had been committed under the sanction, or at least by means, of that part of the law. It had likewise been stated by a noble Lord in another place, that the power had been much abused. He would not venture to dispute the point with the noble Lord, and, indeed, he would concede the point that the cases which had been stated, had really occurred, and just as they had been represented. But, if he admitted that they had occurred, he must beg the House to recollect it was under a system and a state of law totally different from that which now existed, and which would exist when the present Bill should have passed. These abuses had, in fact, happened under a system which afforded every facility to abuse; and was it not wrong to infer from that, that such abuses were likely to occur again? When the Insurrection Act had been formerly in force, there had been no Petty Sessions; the Magistrates tried cases privately, and were not responsible for their conduct. The officers who administered the laws of the Magistrates were well known in Ireland by the name of little barony constables, a peculiar class of peace officers, under the absolute control of the Magistrates, with very small salaries, and likely, therefore, to sacrifice everything in order to please those on whom they depended. Was this at all similar to anything which now existed? At present all proceedings of the Magistrates were open, and they acted under the eye of the Lord Lieutenant, and under a police system, which if not perfect, was still the very best system of police which existed. Many gentlemen in that corps had places of exceeding value, and it was not likely they would commit any great abuse of power. But the powers which hon. Members hesitated to confer under this Bill in fact already existed in Ireland, for if a Magistrate issued a warrant for an apprehension for a felony, it might rest in quiet even for a year, or during that period frequent searches might be made under its authority. He had never heard of one single complaint of any abuse of this power, and, if it were not given under this Bill, he believed that the new law would not be likely to be very efficient. The hon. and learned member for Dublin had made some statements in order to show that there was no connexion between predial and political agitation, and that he believed, that the disturbances arose solely from distress. He (Lord Oxmantown) thought that he had it in his power to state a few facts which would fully show that these outrages proceeded, not from distress, but entirely from political agitation, and from the circumstances which political agitation influenced and produced. The Terry Alt system had commenced immediately after the tithe meeting he had alluded to was held, and immediately after the hon. and learned member for Dublin had delivered his exciting speech in the King's County. This might by possibility be accidental, nor did he mean to show that they were connected; but still he thought that some little ground was formed for suspicion. At that time there had been no forcible attempt to collect tithes in the King's County, nor had there been there any tithe outrages, with at least a very few exceptions; for the moment the tithe meeting took place the Protestant clergy gave up all attempts to collect them. He would maintain, therefore, that tithes had nothing to do with the Terry Alt system, and, as it had nothing to do with distress, he could not but infer that it was connected chiefly with the inflammatory speeches delivered to the poor. The first man who had been convicted of Terry Altism was a respectable farmer, and therefore a man not in distress. In the numerous robberies for arms scarcely an instance occurred in the King's County, for the last twelve months, where any money had been demanded or taken. Many instances had occurred where money had been offered and had been refused. Distress, therefore, could not be the cause of these acts. Another fact in corroboration of his opinion was, that no witnesses had come forward, notwithstanding such very large rewards had been offered for King's evidence. The right hon. Secretary had stated, that as much as 12,000*l.* had been offered in reward for evidence, and that very little of it had been claimed. If persons had been driven by urgent distress to commit these crimes, was it to be believed that they would resist such temptations of so large a reward, accompanied with the certainty of their being sent out of the country and made comfortable for the rest of their lives? He had another fact still stronger. There was no instance of any Protestant having been engaged in the Terry Alt system. He repeated, that distress was not the source of these outrages. No, the case was this — that the whole system was one which was essentially revolutionary. It was a system of intimidation which had induced many of the Protestant peasantry to join in it from motives of interest, because he felt that if he offered any opposition to the lawless bands of men who carried on a system of intimidation, he would be among the first victims to their fury. They had heard a great deal of the putting down these disturbances by certain Associations. As had been stated by the hon. member for Wexford, there was in Ireland a revolutionary party—a party, he would say, which was looking, not merely to revolution, accompanied by a change of Government, but to revolution, accompanied with confiscation of property. That party made use of the name of the hon. and learned member for Dublin as the rallying cry—as the centre of their Union—as the successful guide to the attainment of political power. The attempt to put down these Associations by the hon. and learned member for Dublin might appear to be well directed; but did his address to the peasantry of Ireland tell them with justice that if they pursued their present career they were the enemies of their country? It might even do this; but would that peasantry believe him to be sincere in their cause? Or were they not sharp enough to know that it was to them the hon. and learned Member was indebted for his popularity? Were they not shrewd enough to perceive that through their means he had achieved much? Without their aid would the Terry Alts have existed? Why, while the hon. and learned Member made speeches in Dublin, his

Terry Alts were active elsewhere; and could that hon. and learned Member, for a moment believe, that if he were willing to disband his troops they would not at once pronounce him as a traitor from their cause? He (Lord Oxmantown) would admit, that this was a strong measure, but he was convinced that it was not stronger than the exigency of the case required; and that, severe as its provisions might be, it would be hailed with satisfaction by all peaceable and loyal men, inasmuch as it would place them in a condition much more preferable than that in which they were placed at the present moment. The noble Lord sat down, by saying, that he felt he had trespassed too long on the attention of the House, and therefore, he would not dwell upon those measures by which he conceived this measure ought to be followed up.

Mr. *Ronayne* opposed the Bill. He trusted, that the same attention would be given to an advocate of liberty, and enemy of tyranny and oppression, as had been given to the last speaker, who had avowed himself the advocate of coercion and oppression for his unhappy country. The preamble of this Bill set forth, that "a dangerous conspiracy was prevalent in certain parts of Ireland, against the rights of property, &c." Now, he was very much at a loss to understand against what species of property this dangerous conspiracy was prevalent, except it were that of tithes—a property to which the present proceedings of Ministers bore no reference. The preamble next set forth the dangers resulting from "tumultuous assemblies of large bodies of ill-disposed persons, calculated to excite general alarm and intimidation." Now it appeared to him, that not the slightest evidence had been produced to substantiate this allegation "of the assemblage of large bodies." On the contrary, the only assemblages mentioned had been in three or four of the inland counties, and only proved the existence of a species of Agrarian violence; but he denied, that large bodies of armed men were disturbing the free course of justice. There was also in the Bill a provision to suppress particular associations by the authority of the Lord Lieutenant. That was a most arbitrary provision, the drift of which could easily be perceived. As to the evidence produced by the right hon. Secretary to connect predial with political agitation, it contained no proof whatever to connect that predial agitation with anything which had been done by the association which would be put down by this Bill. On a former occasion, when the then Ministers wished to put down the Catholic Association, they came forward with extracts of speeches made in that Association, which they deemed of a dangerous character and tendency. At present there was not evidence before the House sufficient to ensure a conviction in a case of petty larcency. The only alleged ground brought forward for this Bill was contained in a series of letters produced from the red box of the right hon. Secretary for Ireland, who had not, however, condescended to favour the House with the names of his correspondents. What were the reasons for this mystery—this concealment? There could be but two: either that the parties were not of sufficient weight or responsibility, if named, to have produced any effect on the House—though on this point he believed, that the argument of the right hon. Secretary for concealment, was consideration for the writers on the score of alleged intimidation. [*cheers.*] Hon. Members on the opposite side of the House cheered very vehemently, but would they continue their cheers when he had made his next observation? How was it, that the hon. Secretary had not retained this consideration for the whole of his correspondents? How was it that when one of them happened to be a really respectable and responsible person—why was not intimidation apprehended for him? How was it that the right hon. Secretary favoured the House with the name of one of his correspondents, when that correspondent happened to be Sir Patrick Bellew? [Mr. *Stanley:* They were private letters.] He was glad to hear the admission that these were not official documents, but mere private communications. The letter only of Sir Patrick Bellew, it appeared, was an official, the rest were all unofficial communications. So that they were called on to pass this Bill on the mere authority of private letters. Precedents were very seductive things, and the noble Lord (Oxmantown), following the example of the right hon. Secretary, read a letter, and, acting under the influence of the right hon. Secretary, also withheld the name of the writer [Lord *Oxmantown* said, he had stated the facts on his own responsibility.] Responsibility might certainly be a very sounding expression, though he could not exactly find out any meaning in it. The hon. Member spoke on his own responsibility. His Majesty's Ministers did what they took a fancy to, and the only answer to every remonstrance was, that they acted " on their own responsibility." The only real responsibility he had any confidence in was, that which was understood in the good old fashion, when those Ministers who betrayed their country " on their own responsibility," were brought to the block. No instances of that kind had occurred of late years, although acts might have been perpetrated that called for such a proceeding. He had listened with profound attention, the other evening, to the eloquent speech of the hon. member for Colchester (Mr. Harvey); but on one point he differed from him. That hon. Member was of opinion, that a measure of this nature should have originated in the House of Commons. Now, he rejoiced, that it had not originated in that House of Representatives, but in another and a very different place. He thought it would be most unfortunate for the character of that House if it originated there. It was quite in keeping, that a Bill, which tended to the destruction of the people should emanate in that same House, and be hurried through with such disgraceful haste, which was the last to concede the rights of the people—in that House where the abuses of every rotten borough were protected with such fostering care six months ago [*oh! oh!*]. He did not care for the " oh! oh!" of hon. Members; he was not to be gagged by them, as they were about to gag his unfortunate country. He had also received letters from Ireland, and he would read one to the House, which was not anonymous. This letter, which bore date last week, " strongly urged the Irish Members to fight hard, and not allow so atrocious a measure to pass, for which, it added, there was not the slightest necessity. Many English Members had acted a glorious part in opposing it. There was going to be a large county meeting in a day or two to petition against it. As to the Conservatives, the general opinion was, that they would vote for tying logs to the legs of every Irishman, if a bill to that effect were brought before Parliament." This was the effect of the letter, and now he would inform the House whose opinions these were; the writer was Sir Richard Musgrave, one of the late Members of that House, and than whom not a worthier or more excellent gentleman could be mentioned. Was not the evidence of such a man much more important and worthy of attention than that of the twenty-six Stipendiary Magistrates, whose appointments had been made by his Majesty's present weak Ministry? that Ministry, who set up for such impartiality as to be indifferent to either side; whose banner-motto was—

" Tros Tyriusve mihi nullo discrimine agetur."

The Ministry had also another important argument for their proceedings. The right hon. Secretary had, the other night, amongst other documents, introduced with great theatrical effect, a miserable ballad, which was received with great applause by an admiring auditory. If they were in want of arguments, he could produce one in the shape of a broader sheet of paper than their ballad, and which contained much more important matter, and which was signed, moreover, by no unimportant characters—at the head of the list appearing the name of E. G. Stanley, a name followed by others no less distinguished, such as those of D. Jöy, E. Mann, D. Stanley, with God save the King. That document was the proclamation issued by the Irish Government to enforce the payment of tithes, and he held in his hand a list of persons who were processed under it. This was no newspaper statement; it was an official document, and a little more important than the right hon. Secretary's ballad. That document authorised the enforcement of processes for a large amount of tithes in different parishes, the value of many of the tithes claimed being but a farthing. There he found a case in which, at the suit of a rev. Mr. Palmer, a poor man was obliged to come a very long journey to show cause why he should not pay tithe due to that rev. gentleman, amounting to no less a sum than one penny. He did not say, that the case of Mr. Palmer was a fair sample of all the clergy. It was, perhaps, worse than the average. Its truth, however, could not be doubted, for he had documents in his hand, written by Mr. Palmer himself, to prove it. He had to complain, too, that the law officers carried the law into execution in a manner most unfavourable to the people. The proclamation was issued on November 21, and ought not to have been enforced till December 21. The law officers of the Crown, however, carried it into execution, in his opinion, most illegally, in about ten or twelve days. In one case, indeed, it was ruled against the Attorney General. Would that House suffer such a system to continue? Pledges had been given by the noble Lord (Lord Althorp) that the present measure should not be used for the enforcement of tithes, and the noble Lord who sat for Nottingham, also laboured to show, that Government had no intention of applying it for that purpose; but the right hon. Secretary for Ireland gave no sign of assent to the proposition. The people of Ireland recollected the right hon. Gentleman's declaration that he would never suffer any portion of Church property to be diverted from ecclesiastical uses. That declaration had remained unretracted up to the present hour. Was the tithe system, then, calculated to restore peace to Ireland? Was it calculated to restore peace to that country, that her destinies should be suffered to remain in the hands of the right hon. Gentleman who had made that declaration? The Irish could not forget that eighteen months ago, the right hon. Gentleman had proposed an Arms Bill for Ireland, which exposed every man to be transported, who had a musket in his possession not branded and registered by the officers of the Government. The Irish could not forget that the right hon. Gentleman was the first person to suggest changing the venue. The propositions of the right hon. Gentleman were rejected by the Parliament before it was Reformed, and were they to be carried by acclamation in the first Reformed Parliament? The right hon. Gentleman talked of reading Ireland a lesson; he was afraid that it might be in characters of blood. Could the right hon. Gentleman teach a lesson to 8,000,000 of people? Let him first learn the discreet lesson to do no wrong. Let him also learn that the law derives all its force from the acquiescence of the people. The three estates might make the laws; but they would have no force, if they were opposed to the feelings of the people. What was the tithe system? It was unparalleled in the whole history of wrong. It was a Church which would be overpaid, supposing every Irishman a member of it, levying all its revenue from those who never profited by its doctrines. But it was said, that the Bill was necessary to vindicate this law. It would be better, in his opinion, to reverse the proceeding, and first make the law worthy of being vindicated. Let them remove the causes of the grievances, and make the laws so that the people could admire them for their justice, and then they would willingly obey them. His poetic countryman was a prophet as well as a poet. Mr. Moore said, most justly—

> "As long as Popish spade and scythe
> Shall dig and cut the Sassanagh's tithe,
> And Popish purses pay the tolls
> On Heaven's road for Sassanagh souls—
>
> * * * * * *
>
> So long the merry reign shall be
> Of Captain Rock and his family."

The people were told they must acquiesce in these laws; but he should like to know, when a bad law was got rid of by acquiescing in it? The Magna Charta and the Bill of Rights were not got by acquiescence. No improvement was ever made by any Government in its institutions, unless it were coerced by some moral or physical necessity. Bad laws would remain for ever, if the people acquiesced in them; for the instant they were established, a host of people were found who had an interest in maintaining them. He entreated the House not to pass the Bill, which did but crown whole ages of misrule with a concentration of all the virus of all the abominable principles of Toryism. He could not congratulate the Whig Ministry on their new allies from the Tory camp, including the right hon. Baronet, the member for Tamworth; and he thought that such Gentlemen opposite as had not entirely forgotten their old principles would be inclined to suspect the motives of their Tory friends, and exclaim——

> "Non tali auxilio, nec defensoribus istis,
> Tempus eget."

In the support of the Whigs, however, the right hon. Baronet (Sir Robert Peel) had led the House astray by the pathetic story he had told of an event which happened nearly twenty years ago; and if the House had not subsequently been disabused, it would have retained the impression that the event narrated was of recent occurrence, and was a picture of the present state of Ireland. The right hon. Gentleman had also talked of the oppression of the landlords in Ireland. He did not defend the landlords, for there was much misery in Ireland. Would the House believe that the people of that country, the most productive of the best of food, abounding in cattle, pigs, and corn—would the House believe that 3,000,000 out of the 8,000,000 of inhabitants never tasted animal food except on Christmas Day and Easter Sunday? The right hon. Baronet wished them, however, to consider the tithes as having no part in causing all the misery of Ireland. The right hon. Baronet wished to preserve to the clergy the tithes of Ireland. The right hon. Baronet was sensible of many of the evils of Ireland—but what had he ever done to remedy them? For six years the right hon. Baronet had administered the Government of that country; he had supported, with all his power, that system of ascendancy which had been the curse of Ireland—he had supported the claims of the landed gentlemen against the peasantry, and had not taken any one step to remedy the evils of which he the other night so pathetically complained. The right hon. Baronet had studiously prepared that oration, and certainly he had made a great impression on the House; but while the affecting picture drawn by the right hon. Baronet had influenced the House, he himself had not been affected by it. He had turned immediately to some trifling criticism about the armorial bearings of the Gentleman who introduced the Amendment. The right hon. Baronet was almost disposed to sing them the song of "Tarry awhile with me." He had mixed up tragedy and farce and comedy all in one breath. If he had felt the horror he had painted, he could not so suddenly have changed his tone. The right hon. Baronet jesting on the misery he had sketched, reminded him of Cowper's lines——

> "While peals of pleasantry amuse us there
> With merry descants on a nation's woes."

In conclusion, the hon. Member thanked the House for the patience with which it had heard him. He implored the House not to pass this Bill, and not to leave the destinies of the nation in the hands of an individual who had admitted himself to be the most unpopular man in Ireland.

Mr. *John Browne:* The hon. Member who had last spoken, had maintained that there was no evidence before the House to support the adoption of the present measure. He begged to say, that he had himself received the strongest testimony as to the state of Ireland, from men of character, of high station, and of great importance in that House. As far as he could understand, it would seem that every man except those who had entered the House upon the shoulders of a particular party had given their support to this measure. He was well aware that any hon. Member who should stand up to state his opinions broadly and manfully required the aid of some moral courage, because there was a party in Ireland, which extended itself even into that House, who were apt to torture the best into the worst motives. It required some physical courage, because this party held up those who honestly stated their opinions to public odium; but he believed there was no independent man in that House from Ireland who, seeing the necessity of taking a firm ground in the present time, could be so lost to the interests of his country, could be such a recreant to her, as to allow personal considerations to interpose between him and his duty. He was one of those who honestly believed this measure was calculated to ensure the safety of Ireland. He believed that the time had arrived when it was necessary to arm the Executive of Ireland with these powers, with a view to secure what remained of constitutional liberty, and to protect life and property, which were now in the hands of Agrarian agitators. Undoubtedly there were some persons who throve and trafficked upon the ills of their country. He knew it was quite natural for the hon. and learned member for Dublin, and those who acted with him, to protest against and denounce all those measures that had the effect of restraining them in the exercise of their powers. It might be well for those who entered that House on the shoulders of popular clamour to protest against any measure which tended to obstruct the flow of that current which had carried them there. It was natural that they should be opposed to this measure, and should desire the continuance of the present state of the law. It was equally natural, however, that the people of Ireland should desire the return of tranquillity. The greatest sufferers in Ireland were the industrious peasantry, who were cruelly punished for their loyalty to their King and obedience to the laws. He had before described the system of intimidation which existed in the county of Mayo, which was encouraged by the Political Unions. The individual who most promoted it was a man driven from his caste, and forced to associate with the lowest and most degraded people—who had been more than once tried for arson, and almost convicted of forgery; and this was the man who, on a former occasion, had been called the patriot of Mayo. The last place in which he saw or heard that Gentleman was in the chair at a meeting of the Volunteers of Ireland, and that single circumstance might, he thought, give the House a good notion of the Political Unions and Volunteers of Ireland. He adjured the Government not to falter and not to go back, unless they were prepared to pass an Act to confiscate the landed property of all the gentlemen in Ireland, or to make them sell their estates. He would heartily give the Ministers his humble support, as the Bill was the only means, he believed, by which the country could get rid of the terrible tyranny which now oppressed it.

Mr. *William Roche:* Before I proceed to state the reasons which influence me, in opposing every stage of the present Bill, I must take leave to refute, as far at least as regards myself, the sarcasm or insinuation of the hon. Gentleman who spoke last but one, "that several Irish Members owed their seats in this House to the sole protection of a certain distinguished individual, the hon. member for Dublin." Sir, with the highest respect for the splendid talents and patriotism of that distinguished personage — I sit here indebted to no persons, to no pledge, or compact, beyond the affection of my fellow citizens, and their confidence in my principles and intentions—principles which the distinguished individual alluded to has often certainly done me the gratifying honour of recognizing. Sir, with regard to the question before the House, were it not for its paramount—its vital importance to the rights, liberties, and destinies of Ireland—a country alternately coerced, neglected, or quacked; for be its disease what it may, the chalibeate, or steel, remedy is ever sure to be applied. Were it not also, Sir, for its great though not equally immediate importance to the rights and liberties of England, which, if it cruelly or coldly looks on while the march of these arbitrary enactments are approaching its own shores, vainly imagining it can say, "so far shalt thou go and no farther," may ere long render itself exposed to the application of the adage quoted by my hon. friend the member for Dublin, the other evening—"*mutato nomine de te fabula narratur.*" Sir, were it not for these considerations and the responsibility which I feel devolves on me as an Irish representative to express my sentiments, however briefly, on so momentous an occasion, I would be unwilling to detain the House by any remarks I could offer, uninteresting as they must be after such a prolongation of the debate, and such an exhaustion of the subject. Allow me first, Sir, to assure the House that no one could be more ready than I am to arm the Government, not certainly with overstrained and arbitrary powers, suppressive of the Constitution, but still with amply sufficient means to punish crime, put down disturbance and secure peace and good order, because no one, Sir, can be more conscious than I am, that peace and good order are the end and essence of good Government, that it is for the enjoyment of those blessings men have congregated together, and that they constitute alike the basis of personal security and public prosperity. But, Sir, when I find by recent and reiterated experience that those indispensable objects have been obtained, and can be maintained, by the known, existing, and venerated laws of the land—when I find that crimes as flagitious and disturbances as serious, as those now complained of, have been subdued by vigorous yet constitutional means, and when I further find, that those parts of Ireland, thus restored to peace and good order, have since continued in the most perfect and praiseworthy state of tranquillity, the most reluctant person, if at all candid, must be forced to the irresistible conclusion, that those novel and cruel expedients are not only unnecessary, (and even superfluity is in itself a legislative evil), but that they inflict a deep, a deadly, and a wanton wound on the principles and spirit of the Constitution, and consequently on the liberties and security of the people—measures, Sir, which should not be thought of, and could not be justified, unless rebellion raged throughout the land, whereas they are monstrously brought forward to suppress some few hundred rabble or ruffians, unactuated by revolutionary or rebellious motives, but who prey upon property, because, I fear, they conceive property pays little or no regard to their misery, yet whose crimes and disturbances demand immediate punishment and suppression. And why, Sir, has the vigorous exercise of the regular law of the land produced, in other counties, the good and lasting effects I have stated, but because a degree of solemnity, awe, and reverence attached to them which will never be extended to military tribunals—tribunals abhorred in no country more, nor with more justice, than in Ireland. We are told, however, Sir, that the administration of these coercive measures will be placed in such discreet and amiable hands (those of the Marquess of Anglesey), that no fear need be apprehended or entertained of any abuse, as if he possessed ubiquity and could be everywhere; but, Sir, I for one have not seen that discretion or amiability so happily exemplified in his late conduct, or in the forced and recent collection of tithes—an impost which has been and will be, till extinguished, the primary and perennial source of Ireland's indignation and distraction, and which glossed even as it may, will ever be deemed a grossly unjust exaction by all those who do not participate either in its spiritual doctrines or temporal advantage. But, Sir, be the disposition of the individual, thus armed beyond the established laws, ever so amiable, is national liberty and individual safety to be thus placed, as it were, under the sword of Damocles? Is this to be the improvement of the laws that was held out to us? Is this to be the substitute for the melioration of the condition of the people? No, Sir, this is not the treatment Ireland expected or deserved from a Reformed Parliament, and from those that possessed such friendship, and held out such promises to us, which almost forces me to repeat: "God preserve us from such friends, we may protect ourselves from our enemies." Their maxim is, Sir, to make coercion precede or, at least, accompany redress, and fear stand in place of love, the very reverse of what has ever been found to operate a sound and wholesome influence on the human mind—No, Sir, these are not the remedies Ireland stands in need of—she wants rational and conciliatory laws administered in that spirit—she wants relief for the poverty, the misery, the non-employment, and non-protection of her people, who imagining they are made no account of in society, but as hewers of wood and drawers of water, therefore, unhappily think that they can only obtain attention and redress by force and intimidation. Give them, Sir, a stake in society—give them an interest in peace and good order, peace and good order will be the result. It is to this we should direct our whole energy, and not to exasperating measures, and if we do so direct our energies, be assured we shall reap the most gratifying harvest. I shall conclude, Sir, by uniting my humble voice to that of my country, unequivocally expressed in the multitude of petitions against these unconstitutional measures, which this day crowded your Table, (whereas, not more I believe than one petition appeared in their favour,)—namely, that you would grant redress before you inflicted coercion, meantime subduing lawlessness, should it unhappily continue, by constitutional means; and if, contrary to all expectation—if contrary to every impulse of the human mind, the disturbers of the peace should still be incorrigible, upon none need you rely more effectually than upon the Irish Members for support, for who are more interested than they, in the peace, good order, and consequent prosperity, of the country? But we cannot allow measures so uncalled for, so unconstitutional, so despotic, so particularly unbecoming the professed friends of liberty—measures calculated to exasperate rather than heal, measures that may affect the very integrity of the Empire, to pass without most anxiously, most energetically, and perseveringly deprecating and denouncing them.

Sir *John Key* wished, in a very few words, to state the reasons which induced him to vote for the second reading of this Bill. He conceived, that it was impossible for any impartial man, who had heard the discussions that had taken place on this subject, not to arrive at the conclusion, that it was absolutely necessary to intrust his Majesty's Government with stronger powers, to put down the disgraceful insubordination that at present existed in Ireland. It had been said, that those who supported this measure wished to destroy the Constitution in Ireland. He was as ardent a friend to the Constitution as any man in that House, but he would ask, whether there existed at present anything like constitutional liberty in Ireland? He would ask, whether any man could deny, that there existed no liberty there just now, save the liberty of violating the laws, and murdering the peaceable inhabitants of the country? No one could be more desirous than he was to see remedial measures introduced for the benefit and improvement of that long misgoverned country; and he was quite confident that such measures would be brought forward by his Majesty's Government with the least possible delay; but it was absolutely indispensable, previous to the carrying such measures into effect, that the lawless agitation that prevailed in Ireland should be put down. He had the fullest confidence in the intentions of his Majesty's Ministers to do justice to Ireland; and he trusted that, amongst other remedial measures, a modified and improved system of poor laws—a system that, while it protected the productive industry of the middling and lower classes would compel the absentee landlords and rich proprietors to contribute to the support of the destitute poor—would be introduced into Ireland; until something like that was done, it was idle to talk about improving the condition of the people of Ireland. He would support the second reading of the Bill, but, in doing so, he should not feel himself precluded from objecting to several of its clauses in Committee. Indeed, he hoped to see the measure considerably modified in the Committee. He conceived that, instead of acting against the true interests of liberty, rightly understood, by voting for a measure founded upon the principle of that now before the House, arbitrary and despotic as it might appear, he did that which every friend of liberty ought to do—he did that which went to restore individual freedom, and the security of life and property in Ireland, and to place upon a lasting foundation the liberties, the peace, and the prosperity of that too-long distracted country.

Mr. *O'Ferrall* said, he should not, probably, have risen upon this occasion, had it not been for the observations—he would say the unjustifiable observations—which had been made by the hon. member for Mayo, in reference to those hon. Members who, upon that side of the House, felt it their duty to oppose the measure. That hon. Member had taunted them with a want of independence. Now, he would tell that hon. Member, that, as far as he (Mr. M. O'Ferrall) was concerned, he would not yield to him in independence, either as regarded property or principle; and he would further tell him, that those who opposed this measure, were fully as independent as those who supported it. If the hon. Member alluded to the pledge as to the Repeal of the Union, he would beg to inform him, that he (Mr. O'Ferrall) had, in the face of his constituents, refused to take that pledge. It also appeared to him, he must say, extremely indelicate on the part of that hon. Member to drag before the House an individual who had subjected himself to a Crown prosecution, and who was at present in the hands of the Attorney General. There were some noble individuals, with whom that hon. Member was acquainted, who had been so far equally unfortunate, and, with that circumstance in his recollection, the hon. Member should have forborne from such an allusion. He expected that the hon. Member would withdraw the reflections which he had cast upon the Members for Ireland who did not agree with the hon. Member. As to the Bill, the course he should pursue would please neither party. When on the Committee of last year, which was appointed to inquire into the cause of disturbances in the Queen's County, he had agreed with persons of the most opposite political principles in recommending that the hands of Government should be strengthened; and the singularity of so extraordinary an agreement of opinion ought to have induced the hon. Secretary for Ireland to try those powers rather than resort to such a bill as the present. It was most important to consider whether the Bill was not stronger than was necessary, and whether it might not ultimately tend to the perpetration of disturbance. Several Acts had been lately passed to strengthen the hands of landlords, and these bore very heavily upon the poor. In the Queen's County, and in other counties also, he knew that the clearances of estates had been the cause of the disturbances. There was no immediate or necessary connexion, as had been asserted, between political agitation and outrage; but certainly, if at a public Meeting a clergyman or a landlord should be described as an extortioner, it would create an unfavourable feeling in the district towards him. But, admitting this, he protested against destroying the character of the hon. member for Dublin, and holding him up as the cause of these disturbances, when there existed nothing but very flimsy evidence to show any connexion between agitation and crime.

Mr. *John Browne*, in explanation, said, that he had no intention of giving offence to the hon. Members opposite, and least of all to the hon. member for Kildare. His observations had been occasioned by the assertion of the honourable member for Middlesex, that there were no individuals of respectability and station from Ireland upon that side of the House that had come forward to give their testimony in favour of this measure. He (Mr. Browne), in reply, said, that there were individuals of respectability and independence from Ireland on that side of the House who had supported the measure, but that the hon. Members opposite, who had come into the House fettered with pledges, could not be regarded as independent. In saying that, he did not mean to convey any reflection upon the hon. member for Kildare; at the same time he begged to say, that though not a wealthy man, he had sufficient property to render him as independent as that hon. Member. That hon. Member should have had the good taste not to have alluded, as he had done, to bygone transactions. The hon. Member complained of his (Mr. Browne's) reference to an individual who had taken a leading part in the Political Union in the county of Mayo. He thought it his duty to state what he had stated of that individual, to expose the dangerous characters of those who were leading the peasantry into difficulties and dangers.

Mr. *Edward Cooper* said, that he would give his vote for the second reading of the Bill, reserving to himself the power, when it was in Committee, to object to many of its details. He entirely agreed with the statement in the preamble of the Bill, that there did exist in Ireland a conspiracy against life and property, and that there were associations in that country which were inconsistent with its peace and tranquillity, and on such grounds he should vote for the principle of this measure.

Lord *Althorp* observed, that, in consequence of the manner in which the hon. member for Middlesex had shaped his Motion, they were now discussing whether the Order of the Day should or should not be read, instead of considering the main question, whether this Bill should be read a second time. The Resolution which had been proposed by the hon. member for Middlesex, would have been much more appropriately introduced upon the first reading of the Bill, instead of being brought forward now, after the Bill had been subjected to such a protracted discussion. He would contend, that sufficient and satisfactory evidence had been produced to prove to the House the necessity of such a measure as this. The hon. member for Middlesex had said, that he would put no confidence in the Government, and certainly, if he would put no confidence in his Majesty's Ministers, he was perfectly justified in refusing to give them the powers with which this Bill proposed to intrust them. The reasons which the hon. Member had assigned for his want of confidence in his Majesty's Ministers were, that he (Lord Althorp) had not acted up to the declarations which he had made, and the pledges which he had given, in the course of last Session, with regard to the remedial measures, especially as respected the amendment of the tithe system which would be introduced into Ireland. What he said last Session was, that tithes should be done away with, and what his right hon. friend said was, that they should be extinguished; and he would maintain that that pledge, as to the extinction of tithes, had been redeemed, not, of course, within the very literal meaning of the words, but up to the fullest extent in which that pledge, when given, was understood. ["Hear," *from Mr. Sheil.*] He did not understand that cheer from the hon. and learned member for Tipperary. This he would assert, that when the law which was passed on this subject in the last Session of Parliament should come into effect, the collection of tithes in Ireland would no longer exist. Tithes would remain in name, but, undoubtedly, they would not be transferred to the pockets of the landlords. The landlords had bought their lands, and had inherited their lands, subject to tithes, and it was but right that they should continue to hold them upon the same conditions. One great and main grievance respecting tithes, which was complained of in this country, as well as in Ireland, regarded the effect of their collection upon the occupiers of land. Now, when the Bill of last Session should come into effect (he admitted that the period for the Bill coming into effect had been postponed to a much more distant period than he should have wished, but that was not his fault)—when, he repeated, that Bill came into effect, the occupier of the soil would no longer have to pay any tithes in Ireland. He believed that such was the understanding affixed to the declarations made by his Majesty's Ministers by those hon. Gentlemen who had heard them when made; but those Gentlemen who had not heard them made would see, by a reference to the Report of the Tithe Committee, that the Government would not, upon such authority, go further than it had gone in the measures which it had proposed. The hon. member for Middlesex said, that his (Lord Althorp's) right hon. friend's Grand Jury Bill had been dishonoured in the Lords last Session. The hon. Member confounded it with the Petty Jury Bill which was carried in the House of Commons last Session. He had, over and over again, admitted, that he gave a pledge that that bill should be carried; and it was not the fault of Ministers in that House, it was owing to circumstances which they could not control, that it was not passed by the Lords. He had told the hon. member for Dublin, on his introducing his Jury Bill the other evening, that the Bill of last Session would be introduced again in the House of Lords; but if that did not satisfy the hon. Member, that he would have no objection to his Bill being read a first time, reserving to himself the right of opposing it, if he should think fit, hereafter. The hon. member for Middlesex quoted the authority of Sir Henry Parnell, to prove that there were no disturbances in the Queen's County. It was quite impossible that sir Henry Parnell could have made the statement at the time the hon. Gentleman mentioned, as it was Sir Henry Parnell who drew up the Report of the Committee of last Session upon the state of the Queen's County—a Report, as the hon. member for Kildare had mentioned, that had been adopted by the Committee unanimously; and in that Report it was stated, that the state of the Queen's County was such as to warrant and render necessary the giving extraordinary powers to the Government. The hon. Member had quoted the evidence of a major Browne to prove that the county of Kilkenny was in a most tranquil state up to July last, and that the subsequent disturbances there were all owing to the Bill which his right hon. friend (Mr. Stanley) had brought into Parliament. Now, it so happened, that that evidence was given in the preceding January; that it referred to the July of the year 1830; and that the witness stated, that the disturbances which had then occurred arose out of the election of his noble friend (Lord Duncannon) for that county, in that month, in the year 1830. The hon. Member asked why they had not produced the authorities of Lords-lieutenant of counties in Ireland in support of this measure. His right hon. friend had, on a former evening, quoted the authority of two Lords-lieutenant, Lord Ormond and Sir Patrick Bellew. The Lord-lieutenants of Wexford, Carlow, and Wicklow, had supported it in Parliament, and the imprudent reference of the hon. member for Middlesex had called up that evening the Lord-lieutenant of the King's County (Lord Oxmantown), who had made a most impressive speech in favour of the Bill. He (Lord Althorp) would have risen earlier in the evening, but that he was anxious to hear what hon. Members might have to say. He regretted that they were now only debating the Order of the Day, and, therefore, so far making no progress in the Bill. His hon. friend, the member for Kildare, had concurred in opinion with the Committee, that stronger measures were necessary; but his hon. friend had also recommended the adoption of remedial measures. But did the Ministers ever say, that remedial measures were not necessary? Had they not already given some earnest of their determination to introduce such measures. Gentlemen had said, "You have brought forward the coercive measure in the House of Lords, why did you not also bring the Irish Church Reform Bill into that House in the first instance?" There was one simple answer to be given to this, which was, that the Irish Church Reform Bill was a money bill, and therefore must, in the first instance, pass the House of Commons. But his Majesty's Government took the very first opportunity of introducing their remedial measures into that House, to show that they were really in earnest on that point. He had already opened the subject of Irish Church Reform, and his right hon. friend (Mr. Stanley) that of Grand Juries. If the House thought that they intended to stand still, and not remedy the evils of Ireland, then, indeed, hon. Members would be perfectly justified in opposing any coercive measures, and they would have no right whatever to ask the confidence of the House. His hon. friend had said the necessity for coercive measures should be so striking as to produce an almost unanimous assent, and instanced the long debate which had occurred on the Bill as a proof of a want of sufficient unanimity. But though he admitted, that the debate was very long, yet there was not, in his opinion, the slightest necessity for so long a discussion; and, as to unanimity, there were few instances, on any great question, of such a large and overwhelming majority. His hon. friend then said, that Ministers had failed to prove any connexion between political agitation and the predial or agricultural outrages. With regard to that point, no man believed, or would admit more fully than he would, that the political agitators, so far from intentionally stimulating these crimes, held them in the utmost abhorrence; but the effect of political agitation was such as necessarily to produce irritation and discontent; and this irritation and discontent, operating upon a population in a state of great misery and distress, necessarily led to the commission of crime and outrage. And, certainly, though they might not wish to do so, the consequence of their conduct was the encouragement of criminal outrages. It was said, that when this Bill was passed into a law, there would still be the same difficulty in obtaining evidence. This, however, he denied; it would have the effect of terrifying the persons engaged in carrying on this system of intimidation, and it would operate directly and practically, through the provisions of the Insurrection Act, to prevent midnight meetings and outrages. He thought the speech of the noble Lord, the member for King's County (Lord Oxmantown), was a very satisfactory answer to the observations of the hon. member for Middlesex. He and his right hon. friend had been attacked for not quoting the names of the persons writing the letters which had been read to the House. The reason for their not doing so was obvious. Those persons would instantly be marked as obnoxious by those violators of the law against whom they complained, and would, not unlikely, fall victims to their revenge.

Mr. *James Grattan* said, the noble Lord, the member for King's County, had admitted that his county had been undisturbed till within the last two years. Now, he was surprised that, for so short a period of disturbance, the noble Lord was prepared to surrender his constituents to a measure so arbitrary and despotic as the present. He did not deny, that disturbance existed in Ireland to an extent sufficient to warrant the grant of some additional powers to the Executive. He would have gone as far, in compliance with the recommendation of the Committee of last Session, as to consent to domiciliary visits, or even to the powers under the Insurrection Act; but to a measure so extravagant and so despotic as this he never could consent. It was said, that the hon. and learned member for Dublin was a dictator. He might be so, but he was no dictator of his; he held not his seat under the authority of that hon. and learned Gentleman. But he would say, if he was a dictator, why do you, in complaining of this circumstance, try to pull him down, only for the purpose of setting up another in his place? He objected to the existence of a dictatorship of any kind, but most particularly should he object to a legalised dictatorship in the shape of the Lord-lieutenant of Ireland. He would just say one word for the unfortunate Queen's County, on which so many observations had been made. He was quite sure that the Government could always get Juries in that county; the farmers and gentlemen did not flinch from attending. He said this from personal knowledge. It was rather a curious thing, that whilst the hon. member for Wexford was relating some most pathetic details to the House, the criminals were being tried—justice was taking its course, unimpeded and unintimidated—and several of the offenders had been convicted and executed. He hoped the Irish Members would not disgrace their country —let them not make it appear that Irish Gentlemen were such cowards, such paltry poltroons, that they would not put themselves to inconvenience for the purpose of maintaining the pure administration of justice, and upholding the Constitution of their country. He really thought that the impression respecting the intimidation of jurors and witnesses was much exaggerated. The county in which he resided (Wicklow) was in a most peaceable condition. The assizes there only occupied the Judge one day. He was not an agitator, he had never agitated but once, and that was in favour of the Reform Bill, for the purpose of placing the Gentlemen opposite on the Treasury Benches; and he should be glad to see them continue there, if they listened not to the advice which the right hon. Secretary for Ireland gave them respecting this Bill, and if the system of tithes were extinguished in Ireland. It had been said, in justification of this measure, that his father had supported the Insurrection Act; but the Insurrection

Act was not at all to be compared to this Bill. Upon his honour he believed that one tithe of this Bill was sufficient to quiet every county in Ireland. He thought, notwithstanding the observation of the noble Lord, that the House ought not to proceed to pass this measure upon anonymous information alone. If that red box contained reports from each of the thirty-two Lords-lieutenant of Ireland, then they might have some ground on which to proceed. They were entitled to have this. Ministers were bound to furnish authentic information. He entreated the House, for the sake of their character, to recollect that this was the first Reformed Parliament, and pause before they passed the most extraordinary, extravagant, and unconstitutional Act ever submitted to any House of Parliament.

Mr. *Barron* wished to take that opportunity of complaining of an attack made upon him in *The Standard* newspaper of Wednesday last. Words were there put into his mouth which he never used, and sentiments attributed to him which he abhorred. This was the language attributed to him:—“ The Protestant population in Ireland are 500,000, yet these enjoyed an income of 8,000,000*l.* or 9,000,000*l.* He would ask any hon. Member, whether this was a just distribution of property?” And the editor of *The Standard* then proceeded to comment upon this, as though he advocated the division of the property of the Irish Protestants amongst the Catholics of Ireland. He must do himself and the public the justice to say, that he had never used the obnoxious expressions attributed to him. What he said was this —that the Church property in Ireland amounted to 8,000,000*l.* or 9,000,000*l.* per annum, and what he asked was simply this—whether such an enormous property was necessary for the support of a Church establishment for only 500,000 Protestants. He abhorred the sentiment which had been attributed to him. He might have the printer of *The Standard* called to the Bar of the House, but it was not his wish to act harshly towards the Press, but merely to set himself right with the public.

Mr. *Nicholas Fitzsimon* begged leave to remark, in reference to the observation of his noble colleague, that the county which he represented had not been disturbed except during the last two years; he would remark that this disturbance arose out of the efforts of the inhabitants to free themselves from the political thraldom under which they had laboured for thirty years past. He denied that there had been any outrage which had not been punished, wherever the law was attempted to be put into execution; and it was well known that Jurors performed their duty in an unimpeachable manner. He regularly attended whilst in Ireland, the Assizes and Sessions, and he never saw justice fail for want of witnesses; nor could he tax his memory with one single instance in which a witness was afterwards persecuted for giving evidence. It was true, that there had been thirty-four robberies of arms, but in several instances they had been returned; and, if his information was correct, they would be so in many more. He should oppose this measure, not only because it was most arbitrary, but in his opinion most unnecessary.

Colonel *Perceval* (amidst cries of “adjourn, adjourn”) said, he trusted that his Majesty's Ministers would not consent to an unnecessary adjournment of the debate. It appeared to him extraordinary, that the hon. member for Wicklow (Mr. Grattan) should have stated he concurred in what had fallen from the noble Lord the member for King's County (Lord Oxmantown), and then come to the conclusion that one tithe of the measure then before the House would have been sufficient to put down the disturbances. The county which he (Colonel Perceval) had the honour to represent was in a comparative state of tranquillity, but occurrences that had recently taken place there convinced him that unless an example were made in the remote districts where insubordination was at its height, the system would soon reach the county of Sligo. It appeared to him extraordinary that so many hon. Members should have stated, that his Majesty's Ministers had not made out a case. To his apprehension they had made out a case fully warranting them in applying for additional powers. The measures demanded, it was true, were monstrous, but anything short of them would be insufficient. Hon. Members on his right had objected to the information upon which the House was called on to act. The information was anonymous, or it had come from the police, and the police were not to be depended upon. The Bill was also, they said, founded on the testimony of the Magistrates, and the Magistrates were not to be depended on. When again the evidence of disturbance was drawn from the Judges, who deduced the facts from the state of the calendar, and spoke from their own long experience, they were told by the same parties that the Judges were not to be relied upon as witnesses; their testimony was disregarded, and their characters appealed to in vain. In what manner, then, were these Gentlemen to be supplied with information — from what quarter—and what was to be the extent of the recommendation? When the noble Lord opposite (Lord Althorp) made statements upon his own knowledge, or demanded powers upon his responsibility, he was laughed at; and it was asked, "what was his responsibility, he was but an individual." He had been a member of the Committee which sat to inquire into the state of Ireland last year, and, in consequence of the evidence given by one gentleman from that country (Captain Walker, as we understood), he had been subjected to marked and cruel persecution on his return. When his crops were ripe, and his hay fit to cut, not a single individual was to be found who dared to cut them; such was the odious and atrocious system of intimidation carried on. Another witness, who was a most manly character, when asked the cause of predial agitation, was reluctant to answer. Being pressed, however, he at length gave his opinion, and the facts upon which it was founded; but he besought the Chairman, out of regard for the life of his wife, his children, and himself, not to print his answer. His earnest request was complied with, and he and his family still lived; and he hoped their lives would be spared by the miscreants who kept the land in a state of terror, until such time as his Majesty's Government should have been enabled utterly to extirpate them. This was the condition of counties which they were told were in a state of tranquillity. He was convinced that the increase of crime was attributable to that most odious practice of political agitation. That, he was convinced, was the cause of the frightful increase of crime, which, they were told, had taken place in Carlow. He had not been present at the commencement of the speech of the hon. member for Middlesex, but he did not think on that account he had suffered any serious loss. When he entered the House the hon. Member was stating, that the Church of Ireland ought to be utterly given up. Nothing less would satisfy the appetite of the hon. Gentleman. He also stated, that the hon. and learned member for Dublin was the idol of the whole people of Ireland—of the whole eight millions—and that he was looked up to by them all. This, he, as an Irishman, felt it his duty distinctly to deny. A fictitious feeling had indeed been got by great pains in some parts of the country; but he thought the learned agitator was already on the tumble, and he hoped his fall would be speedy and great. When he dissented from that statement of the hon. member for Middlesex, as to the idolatry of the people of Ireland for the hon. and learned member for Dublin, he was met by the hon. Member (Mr. Hume) turning round and saying, "at least by every honest man." That hon. Gentleman had advertised his Majesty's Ministers that they had lost his confidence. He (Colonel Perceval) heartily congratulated his Majesty's Ministers upon the loss they had sustained. The hon. Gentleman seemed to be something of the cameleon species, he changed colour so often. He recollected when that hon. Member voted that black was white with reference to these same Ministers. But he had done with the hon. member for Middlesex. It had been asserted that not one of the predial agitators was a Protestant; and in answer to that assertion, the hon. and learned member for Dublin (Mr. O'Connell), in his long and tedious speech, had only been able to adduce one instance to the contrary. He had discovered one Protestant in the town of Bray, and he at once fixed upon him his accusations. That man was accused by the hon. and learned Gentleman with having written threatening letters to the vicar of Bray. He had, therefore, thought it to be his duty to call upon that reverend gentleman the morning after the statement was made, and he found that it was no such thing as the hon. and learned Gentleman had represented. It was true, indeed, that threatening letters had been sent to the vicar about two years ago; but although 1,500*l.* had been subscribed to discover the author, that had never been done. He begged leave to take that opportunity also, to state, that the indecent words put into the mouth of his reverend friend by the hon. and learned Gentleman, and which he would not repeat in that House, were never uttered by him. This he should be able to prove by the testimony of a gallant relative, who was on the spot at the time the words were said to have been used. He also denied, on behalf of his reverend friend, the truth of the charge of extortion brought against him. He declared that nothing could be more false than that statement, from whatever quarter the learned Member obtained it. It was perfectly true, that the case of his reverend friend was dismissed, in the first instance, by the Assistant-barrister at the Quarter Sessions; but that was on account of informality only. When he again brought forward his claim before the same Assistant-barrister at the next Quarter Sessions it was awarded to him to the full extent of his demand. He implored the House not to attach the slightest credit to any part of the statement made by the hon. and learned member for Dublin against his reverend friend. For himself, he should feel that he deserted his duty, and did not maintain that character which he hoped he ever should maintain in that House, if he did not upon this occasion tender to his Majesty's Ministers his most cordial and determined support. He had heard the masterly statement of the right hon. Secretary for Ireland with feelings of pleasure, and he could assure him that nothing that had since fallen from the hon. and learned Member, had, in the slightest degree, weakened the force of that statement. The hon. and gallant Member concluded by imploring Government not to be deterred from pressing the measure quickly through the House, as it was of the greatest consequence to Ireland that it should become the law of the land as speedily as possible.

Mr. Charles Buller moved the adjournment of the Debate.

Lord *Althorp* observed, that, in an experience of twenty-nine years, he had known no instance of an adjournment of a debate upon the Order of the Day. The House always either divided, or allowed the Order of the Day to be read, and then adjourned it to another day; but adjourning the debate on the Order of the Day was absurd.

Mr. *Warburton* said, the hon. member for Middlesex being absent, had sent a message to him. The House would not blame his hon. friend for being absent, as it was in consequence of the illness of a member of his family. Anticipating the objection which had been made to an adjournment upon the Order of the Day, he desired him to state, that it would be equally agreeable to him if the Amendment were moved on the second reading. [*Laughter*]. That was the hon. Member's wish; he thought that, in doing so, his hon. friend was complying with the wishes of the House; and he could not discover the cause of the merriment of hon. Members.

Sir *John Sebright* did not know any right which any hon. Member had to bring a message from an absent Member. He would speak of the hon. member for Middlesex not eloquently but frankly. The hon. Member took up quite as much of the time of the House as any Member was entitled to do; and he would also take upon himself to say, that the hon. Member, when present, laid down the law in that House, in a manner which he never saw done by any other individual whatever. In criticising the conduct of the hon. Member, he would, however, give him the praise which was his due. There was a time when the hon. Member deserved the thanks of the House and the country, because he confined himself to what he understood. Now, however, there was no one thing that could be brought forward in the House—no question of domestic or foreign policy—no constitutional question, however complicated, upon which the hon. Member did not speak, though certainly not in the most enlightened manner.

Mr. *Harvey* rose to order. He understood that the question was, whether the debate should be adjourned; and he did not understand that the observations of the hon. Baronet respecting the hon. member for Middlesex, however well expressed, could have aught to do with that question.

The *Speaker* said, the House would, perhaps, permit him to make some observations. In the first place, he believed, that the hon. member for Hertford (Sir John Sebright) had misunderstood the remarks of the hon. member for Bridport (Mr. Warburton), who had merely stated that the hon. member for Middlesex was ready to withdraw his Motion, if it better suited the convenience of the House to divide upon a different subject—or a different day. There was certainly no intention of dictating to the House. Every one knew that a motion once made could not be withdrawn without the consent of the House; and it could not very well be done without the consent of the Member himself. The hon. member for Bridport had been authorized to give that assent. With respect to the question of dividing upon the Order of the Day, the House would see how inconsistent it would be to adjourn to Monday upon the question —whether the Order of the Day for the continuance of the adjourned debate should be read and proceeded upon on Friday. The proper course was, to have the Order of the Day read, and adjourn it then to Monday. He hoped the hon. member for Hertford, and the House would be satisfied with the correctness of the hon. member for Bridport's proceeding.

Sir *John Sebright* apologized. All he objected to was, the hon. member for Middlesex's making a speech by proxy.

Amendment withdrawn. Order of the Day read; Motion for the second reading made; and Debate Adjourned.

HOUSE OF LORDS,

Monday, March 11, 1833.

MINUTES.] Petitions presented. By Lord KING, from Greenford, Middlesex; from Killerig, Carrickmacross, and Ballebay,—for the Abolition of Tithes.—By the Marquess of STAFFORD, from Jews resident at Manchester, for the Removal of all Political Disabilities.—By Lord TEYNHAM, from Aughagoure, against Coercive Measures for Ireland.—By the Bishop of CARLISLE, from Rochdale; and by Lord ST. VINCENT, from Stone,—for the Amendment of the Beer Act.—By the LORD CHANCELLOR, from the Ministers and Tutors of Horton College, York, for an Alteration in the Marriage Service; and from Prisoners in Dublin, for an Alteration in the Law of Arrest.—By the Bishop of BATH and WELLS, and the Bishop of CARLISLE, from a number of Places in England and Wales, for the Better Observance of the Sabbath.

OBSERVANCE OF THE SABBATH.] The Earl of *Roden* laid on the Table, Petitions from the City of Aberdeen, from Parishes in Dublin, in Berks, and Essex, for the better Observance of the Sabbath. The noble Earl expressed the satisfaction he felt at seeing such a number of petitions come from all parts of the kingdom on this subject. There was, he admitted, a great difficulty in legislating on the subject, and he thought that in order to secure a better observance of the Sabbath, the higher orders should set an example to the poor, and not deal with those tradesmen who trafficked on that day.

The *Lord Chancellor*, in presenting twenty-four petitions against the profanation of the Sabbath said, no one could doubt that the observance of the sabbath, both in a religious and worldly point of view, was highly advantageous for the labouring classes of the community; but he saw great difficulty in legislating upon the subject. It was highly desirable to put an end to Sunday trading; this was an evil no doubt. He, however, differed from those who thought that the profanation of the Sabbath had increased of late years; nay, he was disposed to deny that such was the fact. He believed that the Sunday was not worse kept by the labouring portion of the community than formerly. On the contrary, he would maintain that the religious habits of the people were improved; that there was much less irreligion among the community of late years than there had been, and the result was, that there was a much better observance of the Sabbath. He deprecated rash and crude legislation, for that would cause the Sabbath to be less observed than it now was, and it would interfere with the habits and feelings of the people.

HOUSE OF COMMONS,

Monday, March 11, 1833.

MINUTES.] Petitions presented. By Sir HYDE PARKER, from Mansfield; by Mr. OSWALD, from Inhabitants of Glasgow; by Mr. FAITHFULL, from Brighton; by Mr. RONAYNE, from Clonmel, and a Parish in Limerick; by Colonel WILLIAMS, from Stayley Bridge; by Mr. MAURICE O'CONNELL, from Tralee, and two Places in the Queen's County; by Mr. GILLON, from Lisburne, Lanark, and the Bradshaw Political Union; by Captain DUNLOP, from KILMARNOCK; by Mr. WM. ROCHE, from St, John's, and other places in Limerick; by Mr. F. O'CONNOR, from Kanturk, in the County of Cork; by Sir JOHN MAXWELL, from the Renfrew Political Union; and by Mr. BLACKNEY, from Gallen,—all against the Suppression of Disturbances (Ireland) Bill.—By Sir ROBERT BATESON, from Londonderry in favour of the Bill.

SUPPRESSION OF DISTURBANCES (IRELAND) PETITIONS.] The *Speaker* said, that he was about to proceed with the Public List. If he rightly understood the feelings of the House on Friday, no public petitions were to be presented, except those which had reference to the Irish Coercive Bill.

Mr. *Robinson* wished, before the question was put, to ask whether that was the understanding or not of the House?

The *Speaker* did not know whether the hon. Member was in the House at the time the understanding took place; but he could assure the hon. Member that he was. The hon. member for Dublin, who had a large number of petitions to present, had been stopped short in the presentation of his petitions, upon the understanding that similar petitions only were to be presented this day. He had no doubt that such was the opinion of the House on Friday, but whether it remained of the same opinion to-day was another question.

Mr. *Robinson* wished to know when this course would stop, as he felt sure the presentation of Irish petitions would exclude all others for some time to come?

The *Speaker* observed, that when it should stop would depend upon the decision of the House. But if that understanding was now to be departed from, many hon. Members who had petitions to present of a different nature, and who were absent on the understanding that petitions against the Irish Coercive Bill only were to be presented, would be unfairly dealt with, and have great reason to complain.

Mr. Robinson bowed to the suggestions of the Chair.

Mr. *Cobbett* said, he had had the honour of having committed to his care thirty petitions upon the subject of the Bill before the House, and had not the petitioners, who sent him other petitions, understood that their petitions were to pass through the post office, post-free, he should have had ten or fifteen more petitions, each signed on an average by about 5,000 names. The rolls were large, and he had been compelled to return them to the post office, unless he had chosen to incur an expense of about 15*l.* in postage during the last week. He would occupy as little of the time of the House as possible, and he would speak, once for all, upon the whole of the petitions. He could have occupied their time with petitions, but he had never presented one until now, and therefore he hoped he might be permitted to state generally the contents of his petitions. The hon. Member after enumerating the thirty petitions, and stating the prayer of them proceeded to say, that as it would be vexatious to read them all through, he should not press for leave to do so. His opinion was, however, that it would be much more gratifying to the petitioners to have no speeches made on the presentation of their petitions, but that their petitions be read, and afterwards printed. What the petitioners wanted was, in the first place, to be heard, and the next thing they wanted was to have their words put on record. As to expense, he would undertake to find a printer who would print them all for less than the sinecure of Lord Grenville himself. Lord Grenville had had 4,000*l.* a-year for doing nothing, and God knew he had had it long enough. Now, for 4,000*l.* a-year, he would undertake to find a printer who would print every petition that was presented to the House, and in a manner to be approved of by the Clerk of the House. That would be the way to get rid of the petitions, but if the system was to be continued of reading only the headings of them, and if some days hon. Members might speak about them, and sometimes they might not, the people would get out of temper—they would get dissatisfied with the House—they would consider themselves ill-treated, and it would not be difficult to conjecture what the consequences would be. He was sure he should not be thought out of order, if he made a few observations on the contents of the petitions before him; as he had said, there were thirty of them, and one speech (if it could be called so) for thirty petitions, could not be considered out of the way. If every Gentleman only made one speech on the presentation of thirty petitions, they should get on pretty well. The first upon which he would comment was, the petition from Surrey, from Godalming, and its neighbourhood; and he had presented that petition first, for several reasons, because it occasioned in his mind feelings of pleasure, of pride, of shame, and of sorrow. Of pleasure, because there was a body of Englishmen the most peaceable, the best disposed, and the most industrious in England, who proved that they had a fellow-feeling for the people of Ireland, and had come forward to express their feelings in the most sensible manner—pride, because this petition came from the spot on which he himself was born—shame, because there were circumstances which had prevented the petitioners sending their petitions to their own representative—and sorrow, because he (Mr. Cobbett) himself had been instrumental in causing the return of that representative. The petition from Huddersfield was deserving of great attention. He was sorry he did not see the hon. member for Huddersfield in his place, who had lately spoken respecting the condition of the people of Huddersfield. He said, that the labouring manufacturers there were earning 2*s.* at least, and in general 3*s.* a-day. By his representation, therefore, the people there were not a parcel of paupers, and this was a petition signed by 9,300 of them, praying that this Bill might not pass into a law, and expressing the greatest disapproval of it. They prayed, that military law might not be established in Ireland, because, if the House allowed it, they anticipated that the same would be extended to England, They further said, that they would, by all legal means, resist the Bill, and every other of a similar description. He should now state the general opinion and prayer of the petitioners. They said, they saw no proof produced by the Ministry to show that such a measure was necessary; they said, that all the pretended proof adduced by Ministers, if produced in a Court of Law, would not be sufficient to send a beggar to a whipping-post. It was all hearsay evidence—not only hearsay, but anonymous; and how was the House to know but that it was got from spies, who were paid out of the secret service money? One of the petitions stated—he believed the Huddersfield one—that they were astonished to observe that no clause was introduced to protect Members of that House from the operation of the Bill. He had never seen or heard of an oppressive bill being passed without such a clause being introduced. No such bill as this, without such a clause, was ever introduced even in the times of Sidmouth and Castlereagh—no, not even in the time of the tyrant Pitt. The principle which had formerly been acted upon was, that a Member of that House could not be sent to prison till a complaint had been brought before the House, and it had decided upon the imprisonment of the Member. But this Bill was aimed at the Members. By this Bill he might go to Ireland one day, next day a proclamation might come out in the morning; he might be seized, taken before some of the red-coated gentry in the afternoon, and next day he might be on his way to Botany Bay. The fact was, Ministers had been beat in the elections in Ireland. They saw a small band of patriots returned to that House, who were determined to do the people's work, and that was the reason why that Bill had been brought forward. It was not a Bill directed against Whitefeet or Blackfeet, or why put a stop to meetings in the open day? Why should Members of Parliament be subjected to its operation, or why should those accused of libelling be dragged before those military officers? Members of Parliament were not midnight marauders; libellers were not Whitefeet or Blackfeet. The petitioners said the measure was not introduced for the protection of persons and property—no, not even of the parsons, but for the purpose of upholding the odious system of tithes. They were for the abolition of tithes in England, as well as in Ireland, and they considered this Bill as merely a warning—as much as to say—"Take care what you are about—take care of what you say. This Bill is a mere trial of the patience of the people, and the provisions of it may be extended to England." He could assure the House that tithes were far from being popular in England, and would never have been paid so long in England had it not been for the constant presence of soldiers and bayonets among the people. No doubt it was a hopeless sort of resistance when naked breasts were opposed to bayonets, but there might be circumstances to blunt the bayonets before they reached the breast. There was no man in his senses but must see, that his Majesty's servants intended to reduce the whole of the country to military law. No man in his senses—no man who was not born an idiot, or who was not strongly biassed in his opinion, but must see it; but let the people only be convinced that that was the intention, then a struggle would take place such as never had been seen in this country. He had always been the advocate of a Government of King, Lords, and Commons. But if there be a Government of King, Lords, and Commons to give us Courts-martial to be tried by instead of Judges and Juries—if they were to take the Constitution from England, the same as they were about doing from Ireland; then, if it was reduced to a question, whether the Government should be destroyed or the people enslaved, he should do all in his power to prevent the latter.

Mr. *Strickland* felt called upon to say a few words, in consequence of two of the petitions which the hon. Member had presented—namely, those from Huddersfield and Keightley. He knew many of those petitioners, who were men of the utmost respectability, and he felt convinced that they had no wish whatever to express their opinions too strongly; but the sentiments of freedom were strongly inherent in them. He could, however, not go to the full extent of supporting all parts of the prayers of these petitions, because he deviated from them upon this point, whether or not it had been proved by his Majesty's Government that there was a case of necessity for the course they had adopted, and he thought that a temporary departure from the Constitution ought to be allowed, for the protection of life and property. He should not support Government in the present measures, if he was not fully convinced that they would carry on every desirable Reform in the institutions of the country, and would, without delay, effect that which had been promised, but not performed—he meant the extinction of tithes. It was in the confidence that these measures would be brought forward that he now supported his Majesty's Government. He did not mean to disguise his feelings on the subject, but he must say, that never did the country, at any moment, place such confidence in men as they did in the present Ministers, and if they did not deserve that confidence by acting for the good of the country, he was sure it would be quite impossible for them to carry on the Government. He hoped and trusted, Ministers would immediately bring forward those measures to which he had adverted, redeeming every pledge they had made, and thereby preventing the expectations of the public from being disappointed.

Mr. *Fergus O'Connor* was surprised, if the hon. Member who spoke last really entertained the opinions he expressed, that he had not recommended the Ministers to abolish the tithes in Ireland, for by no other means could they deserve the confidence of the Irish, or carry on the government of that country successfully. The remedial measures which it had hitherto brought forward for Ireland, were a mockery of its distress and an outrage on its grievances.

Lord *Althorp* protested against the hon. Member's remarks. The measures of Government for the relief of Ireland had given general satisfaction.

Petitions laid on the Table.

Mr. *James Oswald* presented a Petition from the Glasgow Political Unionists against the Bill. The petitioners considered that that Bill was contrary to the principles of the British Constitution, and they stated, that if it were passed, it would shortly be found convenient to extend its provisions to Scotland and England. They felt indignant that the measure should have been introduced by his Majesty's Ministers, and they besought the House to restore the good opinion entertained of its wisdom and integrity, by throwing out that infamous and tyrannical measure and thereby prove to the world that the House was a protector and upholder of the liberty of the subject. He regretted, that he could not support the whole of the prayer of that petition. He was of opinion that a case had been made out which called for additional powers beyond the existing laws, to be placed at the disposal of the Government with regard to Ireland. He was satisfied that in some parts of Ireland there existed a degree of outrage which called for extraordinary powers, but he concurred with the petitioners in disapproving at least of one part of the Bill, which he held to be totally uncalled for. He alluded to that part appointing Courts-martial. He held Courts-martial to try civil offences to be utterly inconsistent with a free Government. No free Government could with propriety resort to Courts-martial to try civil offences, except in case of open rebellion. To that part of the Bill he should give his decided opposition. There were other parts of it which he decidedly disapproved. One, he believed the 27th clause, respecting signals, in which the parties accused were to be compelled to prove a negative. There were other clauses which he disapproved of, but which he should not now enter into. Domiciliary visits should, he thought, be made less objectionable, for that part of the Bill relating to them was, in its present state, most tyrannical. In all cases of domiciliary visits they should not be made without the presence of a Magistrate. Another part to which he objected, was the making of any place a gaol, at the whim of the party who apprehended a person.

Mr. *O'Connell* would not occupy more than one moment. He had received a great number of letters from various petitioners, requesting him to support the prayer of the petitions. Out of respect to those petitioners, and to a great many others who had written to him from Scotland, he begged to state, that in supporting their prayer, the only reason that prevented him from addressing the House on those petitions being presented was, in consequence of the rule to which the House had agreed.

Mr. *Roebuck* had a number of petitions to present on the same subject. The first was from the inhabitants of the city of Bath, signed by nearly 4,000 persons. They took the earliest opportunity to state their sorrow, indignation, and alarm at the introduction into that House of coercive measures towards the long-suffering, and and now cruelly-treated people of Ireland, whose grievances they traced to a continued oppression and to national injustice. The hon. Member after presenting several other petitions on the same subject, and one from Kilcoman and another parish in the county of Mayo, observed:—The last petition came to him accompanied by a letter. He mentioned that letter to show how such documents were written. Letters had been received on the other side, declaring the county of Mayo to be dreadfully agitated.

This letter described it as in a state of "perfect tranquillity." He must confess, that as an Englishman, having no personal knowledge on the subject, he was startled at the direct contradiction between the two statements. It had been stated, that the barony of Gallen was in a very disturbed state; and the letter stated the facts to be, that two brothers had quarrelled about a house; some policemen were sent to prevent bloodshed; therefore the barony would be proclaimed. The other case was of a young woman, who, it was said, having a secret understanding with her admirer, was carried off, and as the barony did not rise *en masse,* in order to rescue her, therefore it would be declared in a state of rebellion! The letter further stated, that the people in the barony had offered passive resistance to the collection of tithes, but the real offence that the inhabitants had given was this: There were about 196 freeholders registered in the barony, all of whom had voted for Sir William Brabazon —an offence which could not be forgiven.

Petition laid on the Table.

Mr. *Wilks* presented petitions from the members of a club professing the principles of the late Major Cartwright, from Boston and from Derby, signed by upwards of 3,000 persons.

Colonel *Henry Cavendish* said, it was true, that the Derby petition was signed by, as he understood, 3,500 individuals, but as its contents did not accord with his feelings, he regretted to say he could not support the prayer of it.

Mr. *Handley* said, that he concurred entirely with part of the statement made in the petition that had just been presented from Boston. The petitioners said there were causes, and indeed individuals of all descriptions, even from Ireland, admitted that there were causes for some extraordinary measure. That the cause of the disturbances was the tithe law, he entirely agreed. He had given his support to the first reading of this Bill, and he proposed to support it through a second reading, considering that Ireland was in that state which rendered it impossible for him to refuse his support to this or any other measure that might be propounded to overcome the illegal tyranny that prevailed at present in Ireland. There was, however, in this Bill, that to which he felt an invincible objection. If the Bill should be altered in Committee so as to enable him finally to give his support to it, it would afford him the greatest possible satisfaction. He conceived that the best interests of the country were intimately connected with the present members of the Government continuing in office; but he would not consent to give any man or set of men a power to prevent the sacred right of petitioning, or to allow individuals to be imprisoned by irresponsible persons.

Mr. *O'Connell* said, that no man could deny there had been committed in Ireland for the last sixty years outrages of the most distressing nature; but wherever the law had been put into active execution, those outrages had been speedily overcome. The Assizes in Ireland were now going on, and he had just received the Report from Waterford, where the Judge declared that the law was strong enough if only put into execution. The law had been found strong enough to punish the horrible murder that had been committed at Wexford; a trial had taken place—three persons had been capitally convicted, and two of them executed; one of them had declared his innocence to the last moment. He acknowledged that for other offences committed by him he ought justly to die, but that of the murder imputed to him he was perfectly innocent. Afterwards one of those who remained unexecuted even thanked the Jury for convicting him, acknowledged that he was the sole actor in the dreadful offence, and that the other two culprits were perfectly innocent. He was executed and the one remaining was to have his Majesty's free pardon. This, then, showed that, if even with all the precautions which the law gave, administered by its most experienced Judges, mistakes, and serious mistakes, were occasionally committed, how important it was that the administration of the law should not be taken out of the hands of these Judges, that the Trial by Jury should not be dispensed with, and that the liberties of the people should not be put into the hands of a few young officers. Let the Bill only linger in the House till the Assizes were over, and every pretext for taking away Trial by Jury, for suppressing the liberty of the Press, and confining men, women, and children in a common dungeon, would be exploded. This readiness on the part of English gentlemen of liberal principles, and honest judgments, to be carried away by anonymous statements, and on their authority to support such a measure as this, showed the necessity for a Repeal of the Union.

Lord *Althorp* rose to order. He said,

the object of the hon. and learned Gentleman seemed to be to repeat, on the present occasion, all that he had said on the first reading of the Bill.

Petition laid on the Table.

Mr. *Gillon* had a great number of petitions from his native county against the Bill. The first was from his own constituents in the borough of Lanark, who stated that they viewed with great alarm the introduction of a measure which was to set aside the constitutional government of Ireland, and to substitute in its stead military despotism. They perceived in that measure a strong desire to stifle the opinions of the people—they wanted words to express their abhorrence and detestation of it, and they considered it as waging war against the liberties of the people. They were convinced that if those powers were granted, it would only be a prelude to a similar measure in this country. They, therefore, prayed the House to reject with scorn and indignation any attempt to make the House a party to so gross a measure, and they hoped that measures would speedily be introduced to remove all the grievances that oppressed Ireland. He had also four petitions of a similar nature, all praying for the rejection of the Bill, and declaring the belief of the petitioners that tranquillity would not be restored in Ireland until the Established Church of that country was done away with, and the oppressive tithe system extinguished. In that opinion he most cordially concurred. The first was from 669 of his constituents in the borough of Hamilton. The next was from a place in the county of Fife; from the inhabitants of Cupar, in Fife, praying for the removal of the Church Establishment in Ireland; and from the Political Union of Leslie, in Fife. He had also to present petitions from Aberdeen, and other places not to impose on so many millions of their fellow-subjects a system of military despotism. A most important petition was signed by 3,728 respectable inhabitants of Greenock. The petitioners viewed with horror and alarm the arbitrary and unconstitutional measures now adopting towards Ireland; and they prayed that measures of an ameliorating kind might be speedily introduced. They besought the House at once to reject the Bill now before them, and to pass humane and salutary laws, as a means of promoting peace and good order in Ireland. Having presented so many petitions against that Bill from his native country, he should only say, that it was now proved that Ireland had many friends among a people who had wrought out their own religious freedom by the sword. Those friends were especially among the Dissenters of Scotland, who had a fellow feeling with them, and thought they ought to be relieved from that heavy tax with which they were saddled for the support of an aristocratic priesthood. He was of opinion that the extensive funds that were now appropriated to the church, and which were almost useless, might be most profitably employed in teaching the people, and in feeding them.

Mr. *Robert Wallace* supported the prayer of the petitions, particularly those from Renfrew and Greenock. The latter place, it was to be remembered, was the largest seaport in Scotland, and upwards of 4,000 of its inhabitants had signed the petition, who were a religious and moral class of people. He confessed that, when he was returned by his constituents as a Member of that House, they did expect that he would be able to give his support to his Majesty's Ministers, but he had since that period found it to be his duty to oppose them; first, upon the Address, then relative to Sinecures, and lastly, upon the present Bill; and at a meeting which had taken place, his constituents had publicly returned him their thanks for the course he had taken.

Petition laid on the Table.

Mr. *Ewart* presented a petition against this Bill, signed by 15,000 inhabitants of Liverpool. The petitioners objected to the transfer of the judicial authority into the hands of military officers, and thought such a course would be destructive of the moral influence of the law, and was utterly unjustified by the necessity of the case. They observed also that it would revive feelings of animosity which had now happily subsided, and believed that the majority of the House were unacquainted with the misery under which the inhabitants of Ireland groaned. They felt convinced that any attempt to enforce the payment of the arrear of tithes would only have the effect of causing the expenditure of much money and the shedding of much human blood, besides ultimately leading to the most deplorable consequences. The petitioners concluded by praying that the House would not proceed with the Bill till after further inquiry. He (Mr. Ewart) concurred in almost every statement of the petitioners. He was decidedly against substituting Martial Law for Civil Law, or rather Martial Courts for Civil Courts. No doubt the Government had made out a case which justified the addition of some powers to the law, but they had made out no case to justify the passing of such a Bill as was now before the House; and with that Bill he could not bring his mind to concur. He did not think the Government had acted in a politic manner in introducing a bill going to this extent, or in introducing it at the present time. He should have wished them to wait till they had tried how far remedial measures would have succeeded. And when they brought in their remedial measures, and, as it were, entered into recognizances to keep the peace with Ireland, they might have called upon the independent Members of this House, anxious to give them their support to protect life and property in Ireland. He should have been happy, for his own part, to have given his support in passing any bill to accomplish that object, but he certainly should not give his assent to the enactments of the measure before them. He could assure his Majesty's Ministers, that it was matter of regret and sorrow to many of their most sincere friends and supporters, that upon this Bill they could not act in conjunction with them.

Mr. *O'Dwyer* said, that this petition had been adopted at the public meeting, and thereby disproved an assertion made by an hon. Gentleman as to the feeling of the people upon this subject. An attempt had been made in Liverpool, by handing about papers to obtain signatures to a petition in favour of the Bill, but it had completely failed. These two facts—the one negative, and the other affirmative, might be taken as a true criterion of the state of public opinion in this important town, which he trusted would be thought entitled to weight in that House.

CHURCH REFORM (IRELAND).] Lord Althorp brought in a Bill to alter and amend the laws relating to the Temporalities of the Church in Ireland.

Sir *Robert Inglis* could not omit that opportunity of stating, that, although he did not know particularly the different provisions of this Bill, he knew enough to enable him to say, that he completely disapproved of, and felt disgusted with, the principle of it. Indeed, the more he considered what the noble Lord had stated concerning it, the more he was disgusted with it. He hoped the noble Lord would take care to have it printed and circulated among the Members of that House, and that sufficient time would be afforded for enabling them to make themselves masters of its details before the day appointed for the second reading.

Lord *Althorp* said, the hon. Baronet seemed sufficiently aware of the nature and provisions of the Bill to say, that he felt disgusted with it. He should take care that the Bill be printed, and put into the hands of Members to-morrow morning. The principle of the Bill was sufficiently well known and understood, to justify him in proposing that it be read a second time on Wednesday next. It was most desirable that the Bill should pass the House as early as possible.

Sir *Robert Inglis* did not, in the course of his experience, remember a case in which a bill of so much importance was pressed forward with so much inopportune eagerness and haste, as that thirty-six hours' notice only should be given, after it had been formally introduced, of its second reading. He complained, that while it involved the interests of many persons in the other parts of the empire, the discussion on its second reading should take place before copies of the Bill could, by any possibility, come into the possession of those who were most warmly interested in every one of its provisions. He knew something, indeed, of the principle of the Bill, from the noble Lord's own statement on a former evening, and as far as he understood it, he was prepared to condemn it. Nevertheless, he contended, that in cases of this description, the country should not be taken by surprise.

Colonel *Davies* thought, if there was any occasion for complaint, it was, that the Bill had been too long delayed. As to what had been said by the hon. Baronet about hurrying it through the House, if thirty-six hours' notice was too short, and almost unexampled, he begged leave to refer the hon. Baronet, with all his experience, to the case of the Coercive Bill, which was read a first time on Monday, and a second time on the Wednesday following.

Mr. *Shaw* reminded the noble Lord (Lord Althorp) that there were some items of calculation in the measure, which, with the short notice that had been given for the second reading, could not by possibility be properly investigated. In his view it was one of the most important bills ever brought before Parliament, and he could satisfy the noble Lord, that as such, it had been taken by the vast majority of the people in Ireland. He considered that it would be very improper indecently to press forward this measure, and he unaffectedly put it to the noble Lord's good feelings, whether Wednesday was not too early a day to be appointed for the second reading. At the same time he disclaimed putting forward any improper ground of delay on this occasion.

Lord *Althorp* had stated, that the Bill would be printed and in the hands of Members to-morrow. He thought the principle and details of the Bill sufficiently well understood to enable them to discuss and competently decide upon the merits of the measure, and he did not see any reasonable ground for delaying its second reading beyond Wednesday, as he had formerly stated.

Sir *Robert Peel* could hardly credit, that the noble Lord meant that a bill of such extraordinary importance, and which would not be in the hands of Members till Tuesday, should be read a second time on Wednesday. He had been asked many questions respecting its principles and provisions, and invariably answered, "Let us suspend our judgment till it comes before us in a tangible and examinable form." But would it not be a mere mockery to talk of duly examining and deliberately deciding upon a measure with which they were made acquainted only a few hours before they were called upon to express their opinion? There was no precedent for such uncalled-for haste; indeed, more time would be afforded for a bill of far less importance.

Mr. *O'Connell* hoped, that the noble Lord would press the Bill forward as much as possible. The state of Ireland required that it should speedily pass into a law. Every Member knew the principles of the Bill, and they would be able to have the details in their hands to-morrow. He hoped, therefore, the noble Lord would not delay it.

An *Hon. Member* said, as the principles of the Bill were involved in the details of it, he would suggest a short delay.

Mr. *John Stanley* trusted that the noble Lord would not attend to any suggestion of the kind. It was most desirable, that remedial measure, which was one of many others, and which formed a distinguishing mark from that which they had to discuss this evening, should go forth to the world, and thereby prove that the House was anxious to pass a remedial measure as nearly as possible *pari passu* with the other Bill.

Mr. *Wilks* hoped, the noble Lord, with all possible despatch, would let the present Bill go forth to the world, for it was one of which the people of Ireland universally approved.

Mr. *Andrew Johnston* said, he could not see such an important measure pressed forward—a measure which would give the first stab to the Established Church, with any undue haste; and he was surprised that such a great measure should have only one day between the first and second readings. He, for one, would not seek to conciliate the hon. and learned member for Dublin, by bringing forward that Bill with such precipitancy. With respect to the other Bill, they all knew that a great necessity existed for it; but no such necessity existed for the present Bill. There were many reasons which induced him to press on the noble Lord the granting of more time.

Mr. *Lefroy* said, that the other Bill for coercive measures was justified by the urgency of the case, but the present Bill introduced a principle of great magnitude and importance, namely—whether they were to have in Ireland an Established Church or not. He trusted that his Majesty's Government would, under the circumstance of the great importance of the preliminary question, give more time than twenty-four hours before they were called on to discuss it. He trusted, at least, they should have a few days.

Mr. *Harvey* considered, that the Bill for the reformation of the Church of Ireland ought to be proceeded with, prior to the further argument on the Irish Coercive Bill, as it might supersede the necessity of that measure altogether. At the same time that he stated this, he could not subscribe to the doctrine or principles that had been laid down of that measure having undergone a discussion. The measure had been ushered into the House by the noble Lord opposite, no persons having delivered their opinions upon it, with the exception of the hon. member for Dublin; he considered it bad in detail, as upon that point the question would be, whether there should be a Church in Ireland, or not. He should wish both measures to be delayed. If the consideration of the Suppression Bill was delayed for a week or two, the other measure might be found altogether to supersede it.

Mr. *Beaumont* trusted, that Ministers would not allow a single hour's delay to take place in the second reading of the Bill.

An *Hon. Member*, did not consider, that the measure went far enough, and trusted that Ministers would extend its provisions when it came before the House in Committee.

Mr. *Warburton* trusted, that not a single moment would be lost in forwarding the present Bill. They had it in the full and satisfactory evidence given before Sir H. Parnell's Committee of last Session, that till the tithe question was finally settled, there would be no peace in Ireland. What would, then, be the feelings of the people of that country, if they found this measure, remedial of their great grievance, delayed, while the coercive measure was not impeded in its progress.

Lord *Althorp* should regret much to lose the confidence of any Gentleman upon such a question as this; nevertheless, if it would give satisfaction to any number of the hon. Members opposite, he was willing that the second reading should take place on Thursday, instead of Wednesday.

Mr. *Maurice O'Connell* said, that the delay of this measure proved how little his Majesty's Ministers were entitled to the confidence of the Irish people.

Colonel *Conolly* said, that as this Bill involved the existence of the Protestant religion, the welfare of the Church tenantry, and even in some degree the integrity of the monarchy, and the permanence of connexion between the two countries, he thought it was not one which should be so precipitated in its passage through that House, as not to be known in the country where it was to operate, till it became the law. The hon. member for Bridport spoke as if he thought this measure would dispose of the tithe question; but it would do no such thing. It involved, however, other interests, which deserved the utmost deliberation, and serious attention of that House.

Mr. *Slaney* said, the noble Lord (Althorp) had a most difficult task to perform. Gentlemen of extreme opinions called upon him to pursue diametrically opposite courses; and it became sincere men, who belonged to neither extreme, to throw their weight into the scale of moderation. Those men must feel most anxious that this, which was a conciliatory Bill, should, at least, make equal progress with the coercive Bill. He had voted for the coercive Bill with regret and sorrow, because he thought himself compelled to do so by necessity; but he must protest against any further delay of the present measure than that which the noble Lord had acceded to.

Mr. *Charles J. Kemyss Tynte* said, that he disagreed with Ministers upon the coercive measure, but quite concurred with them upon this Bill, and hoped, therefore, that no further delay would take place.

Lord *John Russell* said, he could not believe that what was insinuated by the hon. member for Tralee could possibly take place, namely, that the delay of a single day in bringing forward this Bill would induce the people of Ireland to withdraw their confidence from this House. He was sure that the people of Ireland were not so unjust, as from such a circumstance to conclude this House was indisposed to redress their grievances.

Lord *Darlington* thought the House would have reason to complain, if a measure of this importance were hastily passed through Parliament. He did not say, that it should not be passed *pari passu* with the coercive Bill; but if the noble Lord thought so, why did he not press forward this Bill at an earlier period?

Bill read a first time.

Upon the Question that it be read a second time on Thursday,

Sir *R. Peel* said, he would put it to the noble Lord to say whether or not it was a fair ground to state that, because he wanted to satisfy the people of Ireland, he was about to introduce a conciliatory measure, in order to justify his coercive Bill, that therefore only one or two days should be suffered to elapse between the printing of the Bill, and the second reading of it. It was on the 12th of February that the noble Lord obtained permission to bring in this Bill. Why had not the noble Lord brought it in sooner? If he required additional time to that usually taken between obtaining leave to bring in a Bill, and actually bringing it in, was it not too much, after taking that unusual time, to deprive the House of two or three days, which they desired to have after the first reading, for the purpose of discussing he Bill. He asked for no delay whatever that could carry with it the suspicion that he wanted to defeat the Bill—he asked only for that delay which would enable Members to consider and pronounce upon it. The House might refuse delay with respect to the Bill already under discussion, if the noble Lord pleased, but he protested against the House being called upon to deal with a matter of this importance—to decide upon the principle of it—without giving even three days for consideration. He would venture to say such a proposition never had been made by any Government; and such a proposition never could have been thought of by any but the present Government. Let the House contrast the course which had been pursued with respect to the coercive measure, with that now proposed. The House permitted the noble Lord to bring forward that important measure, without asking him rigidly to adhere to the established course, perhaps with sufficient reason; but had there not been a most lengthened discussion on the first reading of that Bill? The first reading of this Bill had taken place with an evidence of so little disposition to offer unnecessary delay, that it had been read almost without a single word having been said upon it; and that being the case, he would say, that to have the second reading fixed for Wednesday or Thursday, was too early to admit of the House pronouncing on the principles of the Bill. He wanted no delay that was unnecessary. He would venture to say the noble Lord would find a very different course pursued upon this Bill to that which had been pursued upon the coercive Bill; but it was hardly fair, presuming upon that, that he was to treat the House in such a way as it had never before been treated by any Government whatever. There were several parts of this Bill which he approved of—there were others which required explanation; and he asked the noble Lord to trust to his knowledge of uniform parliamentary proceedings, and to consider that Monday next would not be too soon to fix for the second reading of this Bill. The noble Lord would not find any undue delay wished for, but surely the noble Lord ought to contrast the proceeding on this occasion with that on the coercive Bill. He did not think this Bill, which was to extinguish ten Bishops, to alter the whole tenure of Church lands, to alter the interests, not only of the Church, but of the lessees under it—above all, to appropriate part of the revenues of the Church to secular purposes—he did not think it was unreasonable to ask for four days' delay between the first and second readings of such a Bill. If the noble Lord wished to reconcile parties who entertained strong objections to this Bill—if he wished to convince them of the necessity and of the justice of it, it was to be hoped that he would only pursue that course which was consistent with the usage of the House.

Lord *Althorp* said, that a considerable time had elapsed since the plan of his Majesty's Government, with respect to Reform in the Church of Ireland, had been laid before the House, but, unfortunately, there had been some delay in preparing the Bill—a delay solely arising out of difficulties connected with the details of the measure, and not at all with reference to the principle of the Bill; they never felt the slightest doubt with respect to that. The House, of course, must know, from the statements he had made long ago, what was the principle of the Bill; and to decide upon that was all that they should have to do upon the second reading. They would be as competent to discharge that duty on Thursday as on any other day; and as to the supposed difference between Thursday and Monday, he confessed that, to him, it did not appear of any importance, and he felt quite assured, that Members would find it as easy to make up their minds upon it—that was upon the principle of the measure—on one day as on the other. The House had been for some weeks aware of the principle of the Bill. There was no great merit in hon. Members agreeing to the first reading of such a Bill—to do so was merely to act in accordance with the acknowledged practice of Parliament. The right hon. Gentleman could not fail to recollect, that when the Bill was brought in for Catholic Emancipation, there was no debate on the first reading of the Bill—the discussion which arose took place on the motion for leave to bring in the Bill; indeed, there was not a single case which he could recollect, on which a discussion took place on a first reading of a Bill until the introduction of the coercive measure for Ireland. He must repeat, before he sat down, that he could not accede to the proposed delay, for as the decision of Thursday could only have reference to a matter of principle, and involved no details, he thought that every Member in that House could be prepared to give his vote on the question, for or against.

Colonel *Perceval* thought, that the present being one of a series of encroachments, he could not see on what ground the noble Lord persisted in his refusal to give time.

Mr. *Beaumont* said, that seeing from what quarter the proposition for delay came, his Majesty's Ministers would lose the confidence of the Irish people, if it were acceded to.

Lord *Sandon* trusted the noble Lord's determination would not be influenced by any such consideration as that suggested by the last speaker. As far as he was able to judge of the Bill, he approved of its main outlines, but he thought that on a subject of so much importance, the proposition for a few days' delay was not unreasonable. It had always been the practice of the old Parliament to give the minority fair play—to allow them time to examine and state their objections to every measure that was proposed. He trusted that this good habit would be continued in the Reformed Parliament.

Mr. *Aglionby* hoped Ministers would consent to no delay in passing this measure. It should be recollected that there was another Bill passing through that House, applicable to Ireland, of a very different character from the Church Reform Bill. It was very important, therefore, that there should be no delay in the measure of conciliation. It was very desirable to conciliate Gentlemen opposite, but it was far more desirable to conciliate a nation than any set of Gentlemen in that House.

Mr. *Barlow Hoy* wished to remind the hon. Member who spoke last, that conciliation might be carried too far. He could not see upon what principle Ministers could oppose the short delay that was required.

Mr. *Baring* doubted if such conduct, in reference to such a measure, had ever before been pursued in that House. At best the Bill could only be in the hands of Members on Tuesday, and it was clear, that between that and Thursday there could not be time to communicate with the part of the country to be chiefly affected by the measure. The Bishops' tenants were all most deeply interested in the result of the measure, and between that moment and Thursday it would be impossible to communicate with them, even if they replied by return of post. He complained, too, that it was most unfair in the majority so to treat the minority, as they never before had been treated in Parliament. Another matter of which he thought he had a right to complain was, that the noble Lord had not stated what was the general course which he intended to pursue with regard to the Irish Church, or with regard to the Established Church generally. Notice had been given of a Motion on the subject of tithes in England, but what the nature of the intended measure on that subject was, they had not yet been given to understand; they were therefore coming to the discussion of a subject of the highest importance in a state of complete ignorance. He put it to the House—was such a mode of legislating to be endured? He put it to the noble Lord to say, whether he felt that he was acting fairly, and in consonance with the principles upon which he had always hitherto acted, thus to take advantage of the circumstance of having such a majority at his back, to deny the minority that fair play to which they had so long been accustomed in that House. The noble Lord proposed to remodel the English Church Establishment, the East India trade, the West-India—all those interests on which the country was most anxious. Was the House to be called upon to dispose of all those interests in the same summary manner in which it was proposed to deal with the Irish Church? Without entering into the merits of the Bill, he must protest against the course now pursued—it was an example which he was surprised to find the noble Lord the first to set; and, if he went out of the House alone, he should think it his duty to divide against it.

Lord *John Russell* was convinced that no man would come down to that House on Thursday who was not prepared either to vote for or against the principle of the Bill—and it was the principle, and not the details, that was then to be dealt with. The details must necessarily be the subject of discussion when the Bill went into Committee. His noble friend (Lord Althorp), when moving for leave to bring in the Bill, on the 12th February, had stated the general outline, and the question on the second reading would be, whether the

House was prepared to adopt that general outline. In reference to what had fallen from the hon. member for Cockermouth (Mr. Aglionby), he must be allowed to say that he could see no necessary connexion between the Irish Church Reform Bill and what was called the Coercive Bill. If grievances were to be redressed, it was the duty of the Legislature to redress them; and if outrages were to be restrained, it was the duty of the Legislature to restrain them. The measures were perfectly distinct, and ought to be considered separately; and he could not assent to the doctrine which it seemed to be a fashion to hold, that the two Bills should go through that House together. At the same time, it was expedient for Parliament to come as soon as possible to some determination on the principle of the Irish Church Reform Bill, in order that the country might see whether it was disposed to give that relief which the present Bill proposed.

Sir *Robert Inglis* begged leave to say that he felt it his duty, at every stage, to make objections to the Bill. He was certainly justified in requesting the noble Lord to take care that a sufficient interval should take place between the first and second reading, so as to enable those whose interests were chiefly affected to have some knowledge of the measure. He thought that less than six days would scarcely enable gentlemen to properly consider and determine upon this matter.

Mr. *Robinson* was favourable to the principle of the measure, but recommended the noble Lord not to be precipitate, as it might be a dangerous precedent, and as it was most desirable that this great question should be discussed with calmness, moderation, and good temper.

Sir *Francis Vincent* had voted with great repugnance for the Irish coercive measure, merely in consequence of the professions of his Majesty's Government to bring forward, without delay, remedial measures, and he thought it exceedingly desirable that as little time should elapse as possible, before the second reading of the Irish Church Reform Bill.

Mr. *Petre* said, with respect to the principle of the Bill, it was well known, and he trusted the noble Lord would not give way.

The House divided: Ayes 187; Noes 46—Majority 141.

Bill to be read a second time on Thursday.

List of the Ayes.

Abercromby, rt. hon. James
Aglionby, Henry A.
Althorp, Viscount
Astley, Sir John
Attwood, T.
Baldwin, Mr.
Bannerman, Alex.
Barnard, E. G.
Barron, H. W.
Beauclerk, Maj. A.W.
Beaumont, T. W.
Benett, J.
Berkeley, Capt. M. F.
Berkeley, hon. C. F.
Bewes, T.
Biddulph, R. M.
Blackney, W.
Brodie, Wm. B.
Brotherton, J.
Brougham, J.
Bulkeley, Sir R. W.
Buller, E.
Buller, C.
Bulteel, J. C.
Burdett, Sir F.
Campbell, Sir J.
Chaytor, Sir W.
Chichester, J. P. B.
Cobbett, Wm.
Codrington, Sir E.
Collier, J.
Colquhoun, J. C.
Daunt, W. J.
Davenport, J.
Davies, Colonel T. H.
Denison, W. J.
Dobbin, L.
Donkin, Sir R. S.
Dundas, Capt. J. W.
Dykes, F. L.
Ebrington, Visct.
Ellice, Edward.
Ellis, Wynn.
Elliott, hon. Capt. G.
Ewart, Wm.
Ewing, J.
Faithfull, G.
Fenton, J.
Ferguson, R.
Ferguson, Sir R. C.
Fielden, W.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Fitzsimon, N.
Fort, J.
Galwey, J. M.
Gillon, Wm. D.
Gordon, R.
Gore, M.
Goring, Harry D.
Graham, rt. hon. Sir J. R. G.
Grattan, J.
Grattan, H.
Grey, hon. Col.
Gronow, Capt. R. H.
Guest, Josiah J.
Gully, J.
Hall, B.
Harland, Wm. C.
Harvey, Daniel W.
Hawes, B.
Hawkins, John H.
Hay, Colonel A. L.
Heathcote, John
Heneage, George F.
Hill, Lord Arthur
Hill, Lord Marcus
Hobhouse, right hon. Sir J. C.
Hornby, Edmund G.
Horne, Sir Wm.
Hudson, T.
Hume, J.
Humphery, J.
Hutt, W.
Hyett, W. H.
Ingilby, Sir W. A.
James, W.
Johnston, A.
Lalor, P.
Lamb, hon. G.
Lamont, Capt. N.
Langdale, hon. C.
Langston, J. H.
Leech, J.
Lefevre, Charles S.
Lemon, Sir C.
Lennox, Lord J. G.
Lennox, Lord Arthur
Lister, Ellis C.
Loch, James
Lynch, A. H.
Maclachlan, L.
Macnamara, Maj. W.
Macnamara, F.
Madocks, J.
Marshall, John
Martin, T. B.
Martin, John
Maxwell, John
Methuen, Paul
Mildmay, P. St. John
Molesworth, Sir W.
Morpeth, Viscount
Mostyn, hon. E.M.L.
Neale, Adm. Sir H. B.
O'Callaghan, hon. C.
O'Connell, D.
O'Connell, M.
O'Connell, C.
O'Connell, Morgan
O'Connell, J.
O'Connor, D.
O'Connor, Fergus
O'Dwyer, A. C.
Ord, Wm. H.
Ormelie, Earl of
Oswald, R. A.
Oswald, James

Palmer, General C.
Parker, John
Parrott, Jasper
Pendarves, E. W.
Peter, W.
Petre, hon. Edward
Phillips, Sir George
Philips, M.
Potter, Richard
Poulter, J. S.
Rickford, W.
Rippon, C.
Robarts, A. W.
Roche, D.
Roche, W.
Roebuck, J. A.
Rolfe, Robert M.
Romilly, John
Romilly, Edward
Ronayne, Dominick
Rorke, J. H.
Ross, Capt. H.
Rotch, B.
Russell, Lord
Russell, Lord C. J. F.
Scholefield, J.
Sharpe, General M.
Sheppard, Thomas
Sinclair, George
Slaney, Robert A.
Smith, John A.
Stanley, Hon. H. T.
Staunton, Sir G. T.
Staveley, John K.
Stewart, Sir M. S.
Strickland, George
Strutt, Edward
Talbot, James
Tayleure, William
Tennyson, rt. hon. C.
Thomson, right hon. C. P.
Throckmorton, R. G.
Todd, J. Ruddell
Tracy, Charles A.
Trelawney, W. L. S.
Turner, William
Tynte, C. K. K.
Tynte, C. J. K.
Vigors, N. A.
Vincent, Sir Francis
Vivian, John H.
Wallace, R.
Warburton, H.
Ward, Henry George
Watson, hon. R.
Wedgwood, Josiah
Wilks, John
Williams, Colonel G.
Williamson, Sir H.
Wilmot, Sir J. E.
Wood, Matthew
Wood, Charles
Wynn, rt. hon. C. W.
Young, George F.

List of the Noes.

ENGLAND.

Ashley, Lord
Baring, A.
Baring, H. B.
Baring, W. B.
Bethell, R.
Blackstone, W. S.
Bruce, Lord E.
Cartwright, W. R.
Chapman, A.
Dare, R. W. H.
Darlington, Earl of
Egerton, W. T.
Fox, S. L.
Gladstone, W. E.
Grimston, Viscount
Hanmer, Sir J.
Hoy, J. B.
Inglis, Sir R.
Nicholl, J.
Norres, Lord
Peel, right hon. Sir R.
Pugh, D.
Robinson, G. R.
Sandon, Viscount
Scarlett, Sir J.
Somerset, Lord G.
Stanley, E.
Vyvyan, Sir R.
Willoughby, Sir H.

IRELAND.

Christmas, J. N.
Cole, Lord
Conolly, Col. E. M.
Corry, Hon. H. L.
Gladstone, T.
Jones, Captain T.
Lefroy, D.
Maxwell, H.
Maxwell, J.
Perceval, Colonel
Shaw, F.
Verner, Col. W.
Young, J.

SCOTLAND.

Agnew, Sir A.
Arbuthnot, Gen. H.
Ferguson, G.
Hope, Sir A.

TELLERS.

Ross, C.
Stormont, Viscount

Suppression of Disturbances (Ireland)—Adjourned Debate.] On the Motion of Mr. *Charles Buller*, the Order of the Day for the second reading of this Bill was read. The hon. Member then proceeded to say, that he rose under considerable embarrassment to address the House upon that subject, as he could not hope to add anything new to what had already been said—so eloquently said, by other hon. Members. He hoped, however, that as a member of the minority, they would do him the justice to hear his reasons for being in that situation; and, he could assure the House, that in opposing the Bill, he did so—not from any party feeling, or factious opposition—but from a sincere belief of the impolicy of the measure. He confessed that he was sorry to hear the manner in which the debate upon this subject had been conducted. Hon. Members had departed from the consideration of the evidence laid before them, to justify this momentous and perilous measure into personal and angry discussion; and more especially, into a declared hostility to the hon. and learned member for Dublin. The members of the Government, in bringing forward the Bill, had taken such pains to tell them of the regret they felt at the necessity which forced them to bring forward the measure, that those very pains almost induced him to doubt their sincerity. He could not help doubting, too, the assertion made by two hon. Members from the north of Ireland, that the people of that part of the country were almost universally in favour of the measure. He did not mean to taunt the members of the Government with their speeches on former occasions; but he thought it would have its effect out of doors, when it was seen, that the majority for placing Ireland under Military Government was swollen by the names of the right hon. member for Tamworth who said, he reluctantly supported the measure, and other Members, whose politics agreed with those of that right hon. Baronet—persons who said "Aye" to the Six Acts, but "No" to the Reform Bill. In his opinion, no case had been made out for the measure. The outrages of the Whitefeet, on which so much stress had been laid, were known, and were as violent about the time when the Whigs came into office, as at present; and the agitation of the Repeal of the Union contributed as much to the disturbances in the Queen's County, as the burning of Bristol to the Reform Bill, and no more. He did not appear there as a defender of the Repeal of the Union, neither would he attempt to palliate any of the murders or outrages which had been committed in some districts in Ireland; he admitted that all such outrageous violations of the law ought to be put down; but he thought that Ministers were going the wrong way about it. He opposed the Bill as a violent measure, the tendency of which would be to irritate and not pacify. He was as sensible as any man of the necessity of some interference on the part of Parliament in the then state of that country, and he considered it the duty of Government to devise means for the protection of the property and lives of the people, but it did not appear to him that it was necessary for that purpose to go into a measure which destroyed the Constitution. A measure was introduced which destroyed the Constitution, at the very time when it was most important that it should be maintained in its utmost purity. Violence and rigour were employed, when the true remedy for the evils of Ireland would be gentleness and moderation. Gentlemen seemed to think, that violence and rigour were one and the same thing; but that, they should remember, was but the old blunder, to which so much of the misgovernment of Ireland was to be attributed. He would not have it for a moment be supposed that he wished to deny to the Government such powers as should be necessary to repress the disturbances; but he thought that the recommendations of the Committee which sat last year to inquire into the state of Ireland would be sufficient for that purpose. He thought great alterations should be made; what is more, he thought they should be permanent. Last year a Committee sat some time to inquire into these disorders, at the head of which was placed a right hon. Baronet whose absence from this House his countrymen must now regret even more than the rest of the House. At this time these disturbances were nearly at their height; the greater part of the outrages described had then occurred. This Committee after a long investigation, after collecting a mass of most valuable evidence recommended, on the advice of the best-informed functionaries of the police and law, nothing more than a prompt administration of the ordinary course of law and a partial re-enactment of the penal clauses of the Insurrection Act. He had no objection to the adoption of all the measures recommended by that Committee. Revive the penal clauses of the Insurrection Act, and add to the all-comprising list of Whiteboy offences that of being out of doors between sunset and sunrise. Allow even domiciliary visits, such as those proposed by the hon. member for Wexford. Take any amount of police and military. Spare no expense in organizing your establishments of police and justice. Let the extraordinary severity of the law be enforced either by Special Commissions, or by such a permanent tribunal as that Committee recommended, constantly applying immediate punishment to every offence. He would not oppose such alterations in the law as these —nay, more, considering the lawlessness and misery of the Irish people, he would wish them to be made for a permanence, in order that the Government might have a constant power of repressing continually recurring disorder. One great mistake into which the Government appeared to him to fall was in making no distinction between outrages which might be committed under this Bill, and those committed by the Whitefeet. It was immaterial, said they, that the officers appointed under it should break into a house at night, as at present that might be done in the visits of the Whitefeet. The Courts-martial were on the same principle defended, by asking were they worse than those new courts of equity to which men might be forced to submit their differences? And the other inroads upon the liberty and security of the subject which the Bill would sanction were defended by an appeal to those to which the peaceable and orderly might be exposed under the dominion of Captain Rock. In his opinion there was no necessity for having either. A constitutional method might be devised to repress outrages, which would neither place despotic power in the hands of the Legislature, nor leave it in the hands of the mob. Appeals had been made to the feelings of the House by the recital of some shocking instances of murder, and to many nightly outrages which had been committed. These, no doubt, were to be greatly deplored, but murders could not be wholly prevented, even in the most civilized countries, — they could only punish them; but who ever heard of the justice or policy of proclaiming a district and putting it out of the pale of the law because it had been the scene of an atrocious murder? He was afraid that if the precedent were established in Ireland of suspending the Constitution for the commission of isolated crimes, the example might, at some future time, be extended to this country. What would have been thought of the proposition to proclaim Martial-law in a county for the murder of Mr. Weare? Or, would it be tolerated to resort to such an arbitrary measure as the present in such a case as the murder of the Italian boy by Bishop and Williams? These, no doubt, were crimes at which humanity shuddered, but no one thought that they would justify such a measure of coercion as that now about to be applied to Ireland. There was a practical conclusion to be drawn from the horrid tale told a few nights before by the right hon. Baronet. Fifteen years ago did that murder occur. The whole period from that time to this had been stained by a succession of atrocities of the same nature. Then the evil was permanent, and required a permanent remedy. The most arbitrary measures had, at intervals, been since in force in Ireland. It was an evil therefore, which temporary rigour would not remedy. He should have been very happy to have had it in his power to vote for this Bill in its first stages, in order to mark his conviction of the necessity of altering the administration of justice in Ireland. If it were possible for him to take away part of the present Bill, add to it some provisions, and expunge others, and so frame a measure to which he could fully or partially assent, he should be most anxious not to oppose the Bill in its very outset. But the truth was, he found hardly a single clause in the Bill of which he approved. The means by which the Government proposed to tranquillize Ireland, were the abolition of the administration of justice; the suspension of the *Habeas Corpus*, the total suppression of the freedom of petition, and the placing of them under military government. He could not agree to any of these propositions; but at the same time that he recorded his vote as opposed to intrusting the Government with such arbitrary powers, he was anxious to state his willingness to intrust them with such powers as he thought necessary to repress the disorders which they were intended to meet. He did not entirely approve of the Amendment which had been moved by the hon. member for Middlesex, and he knew that several other Gentlemen who disapproved of the measure proposed by the Government, objected to it likewise; he had, therefore, drawn up an Amendment, which he thought would meet the views of these parties, and he would offer it for the adoption of the House—it was to the effect. 'That this 'House, while it deeply laments the disturbed state of some districts in Ireland, 'and while it is willing to intrust to his 'Majesty such additional powers, and 'to pass such enactments as may be 'necessary for the protection of persons and property, and for the effectual Administration of criminal justice in that country, is not satisfied 'of the necessity of the extreme measures now proposed by his Majesty's 'Government.' He felt anxious to give some of the leading reasons which induced him to move that Amendment, and which induced him to think the powers demanded by the Government as unnecessary. He would not go into the question of the abolition of the Trial by Jury, because he thought the arguments of his hon. friend, the member for Tipperary, on that subject, were unanswerable and unanswered. He objected to the Abolition of Trial by Jury —not from any particular affection he himself felt for it, but because he objected to any interference with established institutions without sufficient cause; and in his opinion no evidence brought forward by his Majesty's Government had made out a case for the necessity of that measure. The reason given for the suspension of Trial by Jury was the intimidation to which Jurors were subjected; but only one clear case had been brought of such intimidation by the right hon. Secretary for Ireland, and he did not consider it as a fair instance, nor sufficient to show the necessity of such a general measure. Besides that, all the cases of intimidation were from the same county. The right hon. Secretary for Ireland had fished some cases out of his red box, but he had not followed even the example of a Lord (Lord Castlereagh), who, when he brought down his documents in a green bag, submitted them to the examination of a Committee. The documents of the right hon. Gentleman had not been subjected to any examination. As for the establishment of Courts-martial, he objected to them strongly on principle, and in the present instance he thought they were not necessary. In Clare, in Wexford, and in Limerick, the disturbances had formerly been put down without Courts-martial. He thought, that Courts-martial should not be adopted but in extreme cases. Military tribunals had always been the worst tools of reckless tyranny; and he thought, that the only reason which could justify the Government in proposing them was, that the country was in a state of civil war. He denied, that even on the showing of Government there was anything like a general rising of the people. All the disturbances consisted of detached Acts, and most of them might be traced to improper interference on the part of the landlords. That was the case in Limerick. In Clare they arose from the high price of potatoe-ground; and in Queen's County it would be seen from the evidence of the parish priest of Maryborough, that the cause of the disturbances was principally the interference of landlords. That gentleman says, "One of the most prominent in my parish was the turning out of tenants from Major Cassan's estate, to the number of twenty-seven families; he had a Kildare-street School, and he said, that no one should be on the estate that would not send his children to that school; there were other ejectments before that to the number of twelve, on a small farm near the Rock of Dunamore, on Mr. Cosbie's estate; most of those people became very violent Whitefeet, and I know some of them still belong to that association; such as remained in the parish, and wherever they go to, they follow the same practice." And it would be seen, from what followed, that it was not for a rise of rent that these persons were turned out, for Mr. O'Connor proceeded to say: "To whom did Major Cassan let the land on the ejectment of the tenants?—He let it to Protestants generally, and the people considered it was through hatred to their religion that he ejected them.—Did not they owe some rent? Yes, they did; but the land was set at 30*s.* an acre, and it is now let at 22*s.* He and other landlords kept up the war prices, which has caused great evils in the country. The land let for 27*s.* at that time, is now let for 18*s.*, as I am informed." The same witness was asked: "Have you known any instances of great severity under the tithe system that may have led the people into these outrages?" The answer given by this reverend gentleman, who evidently possessed extensive knowledge as to the state of that part of the country, was deserving the attention of the House. He said: "I have known potatoes to be sold out of the houses of poor people, and I have known the pot to be sold, and a man left two years and a half without one, being obliged to borrow a pot to boil his potatoes. I have known blankets taken off the beds of the children. I have known the widow's pig taken away. I have known an aged widow taken out of a sick bed and laid on the ground, and the bed and her daughter's clothes sold for tithes. I have known that in the town of Maryborough." In fact, it would be seen, that the invariable cause of the Irish disturbances was oppressive measures, high rents, and contracts broken. Was it not of importance to look at the causes of the distress before they decided upon applying this severe remedy? He should offer every possible opposition to that portion of the measure which appeared to him to be the most objectionable part of the Bill—he alluded to the provision which was directed against agitation. In his opinion they ought to legislate, not against agitation, but against the cause which had produced agitation — namely, the long series of misgovernment under which Ireland had suffered. The Government had promised that tithes should be extinguished in Ireland, and the people of Ireland confided in that promise. But what had been done? The payment of tithes had been strictly enforced on every occasion. The consequence was, that the people were dissatisfied and discontented. Indeed he had been informed that Ireland was perfectly quiet until the military and the police were sent out to collect tithes. He would broadly assert, that tithes were the great cause of these disturbances, and the people of Ireland—yes, and the people of England also—looked at this Bill as a measure, the object of which, though not avowed, was the collection of tithes. The people had been recommended by some in power to adopt a system of agitation. The words were—"Agitate! agitate! agitate!" But now the Government came forward to put an end to agitation — to prevent the people from stating their many grievances. The Roman Catholic disabilities did not form the sole cause of complaint with the people of Ireland. They were, in fact, only the out-works of complaint. Many, of a more pressing nature, remained. If any one ever thought that the mere granting of emancipation would put an end to disturbance, and effectually tranquillize Ireland, he must have been the shallowest politician that ever existed. The exactions of the Protestant Church in Ireland fomented discord; and so long as a relic of that oppressive system remained, so long would the people be discontented. Their ancestors did not reform the Scotch church establishment, but they effectually abolished it; and the same course ought to be adopted with reference to Ireland. They were told as an inducement for passing this Bill, that its powers would be placed in the hands of those whose discretion would prevent them from calling its provisions into use, except in extreme cases; so that this Act would merely be an ornament to the Statute-book. He might, perhaps, trust to the exceedingly great discretion of those who were now in power in Ireland. He might trust the Lord Lieutenant, who had reconciled all parties in that country; and he might trust the right hon. Secretary, who, of course, would be anxious not to forfeit, by any unnecessary stretch of authority, that great and well-deserved popularity which he had achieved in Ireland; but still he could not consent to give this extraordinary power to their subordinate agents, to Justices of the Peace, and officers of the police. No, he must refuse his confidence to them. A most heavy responsibility would devolve on that House, not only before the country, but in the eyes of the whole civilized world, if they agreed to this measure. Sir Robert Walpole had said: "those who give the power of blood, give blood." And he would contend that those who gave to Ministers the powers that were now demanded, gave, in effect, the power of prolonging, for an indefinite period, the misery, the lawlessness, and the barbarity of Ireland. The hon. Member concluded by moving his Amendment.

Mr. *Hawkins* rose to second the Amendment, and to state his reasons for doing so, having voted against the Amendment of the hon. member for Lambeth, and having been prepared to vote against that of the hon. member for Middlesex. The first of these Amendments, he must say, had been made the subject of a degree of overstrained ridicule which it by no means deserved. Its object appeared to him, not, as its opponents affected to believe, that the passing of this Bill should be delayed for one fortnight and no longer, but that the Bill should be suspended indefinitely over the heads of those against whom it was directed, thereby affording time to see whether it was really necessary or not, and securing to ourselves the power of resorting to its provisions, whenever they should be proved to be unavoidable. Neither for this resolution, however, nor for that of the hon. member for Middlesex, was he able to vote; because he was already convinced that some extraordinary powers were necessary—that there did exist, in certain limited districts of Ireland, an organized system of intimidation and outrage which would not only justify the House, but which imperatively called upon it, to arm the Executive Government with powers beyond the ordinary course of the law, as the only effectual means whereby the law might be restored to its ordinary course. And, for this purpose, the suppression of those crimes against life and property, which had been classed under the term of "predial outrages" he was willing to grant ample powers; for all the evidence before the House concurred in this—that the greatest sufferers by the existing system of outrage were those classes who were least able to protect themselves. In Ireland, ill-fated Ireland, this anomaly existed among the many sad anomalies of her social condition—that whereas, in other countries the poorest class at least were safe from the midnight marauder and assassin, in Ireland the peasantry were not protected, even by Irish poverty, from evils which elsewhere were incidental only to the rich. If this were the only object of the Bill—if these were the only evils for the suppression of which these extraordinary powers were demanded, he would, without troubling the House with any explanation, have voted for the first stages of the Bill, trusting to discussions which must take place in Committee for opportunities of mitigating its necessary severity. But he found in this Bill other objects avowedly aimed at—other powers demanded for the accomplishment of those objects; and the Bill itself so framed, that any powers which might be granted for one object might be applied to the accomplishment of the other. Whatever powers might be granted for the suppression of the predial outrages might be applied to the suppression of political discussion. He found, in short, in this Bill, the unusual and, he thought, inconvenient, attempt to provide, by one and the same enactment, against two evils between which he believed there existed no natural and necessary connexion, and between which he did not think that even an accidental and temporary connexion had been proved. He believed the predial and political agitations to be in their nature and origin totally distinct, carried on by different classes of persons, under different leaders, with a separate organization, with totally different ends in view, and, for any thing that had been proved in the present debates, not usually connected either in time or place. "Cum hoc, ergo, propter hoc" appeared to him a fair epitome of the arguments brought forward to prove this connexion; and even the "cum hoc," the accidental connexion of time and place, he thought very imperfectly made out. But suppose the connexion so far proved, what proofs had his Majesty's Ministers given that the predial agitation was the consequence of the political. Why might not the political agitation be the result and symptom of the predial? Why might not the predial agitation of Kilkenny be represented by the political agitation of Dublin, as the political agitation of Dublin was represented in this House by the hon. and learned Member for that city? Were his Majesty's Ministers sure that they were not now falling into the same error, the same inversion of cause and effect, which, during the discussions on the Reform Bill, they attributed to their opponents? Said the Tories, "The agitation for Reform which prevails among the people is only the consequence of the agitation of that question which the Ministers have raised in the House." "No," replied the Ministry, "you are putting the cart before the horse; the agitation, the clamour for Reform which prevails within these walls is only the echo of the clamour which previously prevailed without." Now, are the same Ministers quite sure that at this present moment the political agitation which exists in Dublin is any thing more than the mere echo, the necessary consequence of the predial agitation which previously prevailed in Kilkenny? He was sure, then, that no connexion had been proved, and he believed that none existed. But even if it did exist, it was a connexion which from its nature never could be undeniably and palpably made out—which never could be proved except by a series of the most indirect and circuitous inferences, and he could conceive no course more impolitic (to use no harsher term) than this attempt to insinuate, by an Act of Parliament, a fact incapable of proof in a court of justice. Why this attempt to connect the politics of the hon. and learned member for Dublin with the outrages of the Whitefeet of Kilkenny? Looking at the political position of that hon. Member, the position he holds in this House in opposition to his Majesty's Ministers—why had they, with no imaginable necessity, taken a course which must obviously convert a discussion on a great constitutional question into a conflict of personalities between themselves and an individual opponent? Why had they set before us the two totally distinct objects of their Bill—the suppression of the predial outrages and the suppression of the political agitation—and told us that we should not vote for the one unless we are willing to vote for the other? Why had they put in jeopardy the suppression of arson and murder, by coupling it, as an indispensable condition, with the suppression of political discussion? Why had they told us, that we should not purchase the safety of life and property except by the sacrifice of political liberty? Why had they placed us in this dilemma—that we must either intrust the liberties of Ireland to the discretion of Courts composed of half a dozen lieutenants of two years standing in the army and twenty one years of age, or else abandon the lives and properties of the Irish peasantry to the mercies of the midnight marauder and assassin? Why had they placed the Representatives of the people in such a position that whichever way they gave their votes tonight, they could scarcely justify them out of doors? He did not distrust the intentions of Ministers; but how could he be assured of the conduct of their subordinate agents for there were powers intrusted by this Bill to very subordinate agents, over whom the office of the right hon. Secretary could exercise no efficient control? And if he were as well assured of the conduct of their agents as he was of the intentions of the Ministry, what guarantee had he for the conduct of their successors, it being of course uncertain who those successors might be? And if satisfied of all these things, what was the opinion of an insignificant individual worth to the people out of doors; for this was a point on which the people ought to be satisfied? Within these walls, they might be the best judges of the means by which the object now before them should be accomplished; but when the means which they selected for the purpose involved, as by the admission of their authors they did, an actual suspension of the Constitution, a temporary establishment of arbitrary power, then the people had a right to be satisfied, (not, perhaps, that those means were the best for the purpose—the Representatives of the people were the constitutional judges of that), but at least that these Representatives had taken sufficient guarantees that those means should be applied to their proper purpose, and to their proper purpose alone. Need he ask whether the people were satisfied of this? Was there one man in a thousand throughout England, or one in a hundred thousand throughout Ireland, who was not translating the title of this Bill—"A Bill for the suppression of O'Connell?" He repeated, that for the suppression of the predial outrages he would grant extraordinary powers—to the present Ministry he would grant them with no niggard hand; but the case was altered when he was called upon to grant unconstitutional powers for the restoration of what was called political tranquillity. He must then be satisfied that the powers demanded were such as were not in themselves incompatible with all tranquillity—such as, when they had worked their destined cure, would not leave behind a rankling and feverish recollection of the pain of the operation worse than the temporary disease they were called in to eradicate. Did the powers now demanded fulfil these conditions? He grieved to say they did not. He doubted, in the first place, the necessity, even in the end, of so extreme a measure; he believed, that under any circumstances which were likely to arise, a bill less multifarious in its provisions and less arbitrary in its powers, would suffice; he believed, that the existing outrages of Ireland—outrages far less serious than such as had existed on many previous occasions, had been put down with far less powers than were now demanded—might be put down, and would be put down, long before we had arrived at the practical necessity of such an extreme measure as this. But granting, for argument's sake, that such forms might be found necessary in the end, he denied the policy, he arraigned the humanity, of thrusting forward the whole of this exorbitant demand at the present moment. He denied the policy, because we were hereby cutting from under our feet the only sure ground on which such a claim could stand—the ground of actual experiment. Nobody could deny, that there were many intermediate degrees of severity between the present state of the law and that which this Bill went to establish; until, therefore, some at least of these intermediate degrees had been tried and found insufficient, it was impossible to say that nothing short of "the Bill and the whole Bill" would suffice. And if this were so, the inhumanity of such a course was obvious; for could there be a greater inhumanity, a more fertile source of crime and oppression, than intrusting the power and authority of law to men who for their conduct were not responsible to the law—intrusting the powers of the constitutional tribunals to men only amenable to their own military judicature? This was eminently a case where the House was called upon to legislate "bit by bit"—to make good our ground as we advanced; if chains must be resorted to, let it be so done, that the imposition of each successive link be justified by the obvious insufficiency of the previous weight. If Ireland must be corrected, let moderate correction be tried in the first instance; if this headstrong and froward child would go astray, it was the duty of its political guardians to try remonstrance in the first place, correction in the second, severity in the third; it would be time enough when all other means failed to bind it hand and foot. But when they were told that the unconstitutional extent of this measure was its great recommendation—that when it had become necessary to depart from the path of the Constitution, the widest and most obvious departure was least likely to attract imitation—that if it be necessary for a temporary purpose to effect a breach in the bulwarks of constitutional liberty, let that breach be so wide that there shall be no temptation to keep it open a moment after the necessity had passed away; that, in short, a large and startling precedent was less likely to provoke imitation than a small one—why, he could not discover. That a large and startling precedent was more difficult to establish in the first instance, he readily admitted; and he believed that before this Bill came out of Committee, his Majesty's Ministers would be of the same opinion; but when the precedent had been once established and found effectual for its temporary purpose, and easily laid aside—when all this had been made manifest, what Ministry would want excuses for its repetition on any future occasion? If they let our successors see with what facility, and with what effect these violent suspensions of the Constitution may take place, should they not be holding out to them an encouragement rather than a warning? Would they not be apt to have recourse to these easy and effectual, though hazardous remedies, for the cure of every passing ailment, until they became the instrument of Government in the hands of an indolent Ministry? Were they not about to set the example of a species of political dram-drinking—an unwholesome remedy indeed, and perhaps in the end fatal to the Constitution—but one so easy, so ready, and so effective to drown the sensation of temporary pain, that by constant recurrence it becomes at last the habitual aliment of the body politic? The truth was, that this argument was good, if properly applied; but it was not applicable to the present state of the British people. It was applicable at the present moment to the people of Austria and Germany—perhaps to those of Holland and Belgium—it would have been applicable to the people of France under the dynasty of the elder Bourbons. Had Charles 10th, for instance, been content to "slide" into despotism—had he not been led by the impetuosity of his Ministers to hazard that desperate suspension of the constitutional charter which raised up the very stones of Paris in judgment against him—had he been content to creep on by a succession of "small precedents," not only at this moment might he have been king of France, but to his other titles to historic infamy he might have added that of "Restorer of the despotism of Louis Quatorze." This argument was applicable to those countries where, from an indifference to public affairs, from the want of a free Press, from the absence of political agitation, a people are in danger of being lulled into a forgetfulness that such a thing as Constitutional Liberty exists. But looking at the events of the last two years—looking at the petitions under which the Table was groaning, could any one believe that in the lifetime at least of the present generation, the people of England were likely to subside into that state of political lethargy in which the Constitution might be filched away from them by a succession of "small precedents!" Let them in this and in all similar cases depart from the path of the Constitution only just so much as the absolute necessity of the case required; and then, if the same necessity occurred again, the same departure ought to take place. And where was the necessity of such a departure as that now proposed? What were the principal evils against which they were called on to provide? The intimidation of Jurors, and the intimidation of witnesses. As for the difficulty of procuring evidence, he admitted that here the Bill fairly took the bull by the horns. There would undoubtedly be no lack of evidence while a refusal to give evidence was punishable by imprisonment at the discretion of a Court Martial. If the only object of his Majesty's Ministry was to procure a certain quantity of evidence without regard to its truth or its falsehood, the Bill would probably be found to answer their purpose; but if their object was, as he believed it to be, to procure evidence of the truth, and of the truth only, then he saw in the proposed Bill, no provision whatever calculated to obtain that object. In providing against the other difficulty, the intimidation of jurors, would not the more natural and constitutional course have been to look out for that tribunal which, being beyond the reach of intimidation, should comprise as much as possible of the powers and functions of the regular Trial by Jury? Where was the necessity to go to the Camp and the Guard Room for Judges? Was there any conceivable case in which a substitute for the ordinary Trial by Jury should not be sought in Westminster Hall rather than at the Hors Guards? For his own part, there was scarcely one of the many suggestions which he had heard on this subject, which he should not think less objectionable than that of his Majesty's Ministers. He would have preferred a single Judge, acting both as Judge and Jury. He would have preferred two Judges—one executing the functions of Judge, and the other of Jury; one deciding points of law, the other questions of fact. He would have gone to Westminster Hall, have taken half a dozen English Barristers of established character and known liberality of opinions, and sent them as a permanent Jury to accompany either an English or Irish Judge on a circuit of Special Commission into the disturbed districts of Ireland. There was not one of these substitutes, objectionable as they all were, which he should not have preferred to these military tribunals. Talk of the Bill establishing Courts-martial for the trial of civil offences! It established a tribunal far worse than a Court-martial. An ordinary Court-martial, a Court-martial as applied to the trial of military offences, was a tribunal, the great objection to which was, that it united in the same individuals the functions of Judge and Jury; the same men decided upon the law, upon the fact, and, in the first instance, upon the punishment also. They were now, however, called upon to establish a tribunal where the same individuals would combine the anomalous characters of Judge, Jury, and police, and in many instances of prosecutor also. The same men will act as Magistrates and constables. As the Bill stood, an officer who had been out all night in pursuit of the insurgent peasantry, harassed, insulted, and perhaps wounded, might be called upon the next morning to sit in judgment, if not upon the same individuals with whom he had just been in collision, at least upon their known friends and sworn fellow-conspirators. Now, to say nothing of the fairness towards the criminal of such a proceeding, was it fair towards the Judges? He dissented from much that had been said in the course of these debates on the character of the British army; he did not believe that British officers were more likely than any other class of men to allow themselves to be led away by vindictive feelings—to allow their judicial decisions to be influenced by the remembrance of personal injury; but it was taxing human nature too far to expect from any class of men, calmness and impartiality of judgment, under circumstances such as these. He would touch at present but on one other provision of the Bill—that which next after the establishment of military tribunals, he considered to be most obnoxious—the power invested in the military or other persons of searching houses for concealed arms. Now, was that necessary? They were asked to give a power of confining the inhabitants to their houses at night. Suppose they were to add to that, a prohibition to bear arms in the day time—suppose, in short, it were made highly penal for a person to be found with arms about his person at any time, by night or by day, without the precincts of his own domicile—would not this answer all or nearly all the purpose contemplated by that most obnoxious provision which allows the search of houses for concealed arms? That provision he would not discuss now; he would only remind the House that it was a power which, if granted at all, must be granted in full and without limitation. It was a power over which, from its nature, no control could be exercised. Give a man power to search a house for concealed arms, and you give him power, if he please, to pull that house about the ears of its inhabitants. No! why, who would draw the line between necessary search and wanton mischief? Who would tell where the necessity of a search ends, and where unnecessary destruction begins? Arms and ammunition might be concealed any where—under a floor, over a ceiling, in the interior of a wall—they might be concealed (and the allusion, however distant, he trusted would be understood by the English Members—he was sure it would be so by the Irish)—they might be concealed in a bed, or about the person! It was a power which courted abuse—a power which was its own temptation to abuse. He implored the House and the Ministry to pause before they intrusted to the hands of common policemen and private soldiers a power which, if abused—and abused it would be, for similar powers always had been abused in that unhappy country—might lead to outrages of female modesty, to violations of all the sacred privacies of domestic life, the rankling recollections of which would in long after years efface from the memories of the people of Ireland the atrocities of the pitch-cap and the triangles, and all the abominations of the Riding-school. But this was a discussion of detail. He would forbear. One word only about the course which he felt it his duty to pursue with regard to the Bill. After the somewhat uncourteous incredulity with which similar professions had been received from the lips of other Members, he almost feared to lay claim to those feelings which he trusted the majority of the House would yet give him credit for—feelings of respect and attachment towards his Majesty's Ministers, notwithstanding the opposition which he felt it his duty to give to this measure. In opposing any measure of which they were the authors, he felt that he was giving to his constituents and the people of England proofs, stronger than any words of his could convey, of the conscientious aversion which he entertained for its provisions; but he must also say, so extreme was his aversion, that in voting for it in any one of its stages, he felt he was giving no less proof of the respect which he entertained for its authors. Nor in the opposition which now and in committee he felt compelled to offer, would he forget —he thought no opponent of this Bill had a right to forget—the grave and onerous responsibility under which an executive Government laboured in circumstances such as these. There were occasions, he thought, and this was among the number, when an executive Government might stand excused for proposing measures which yet it would be highly inexcusable in a Representative Legislature to sanction — there were circumstances of responsibility under which a Ministry might without reproach come down and ask for powers, which, they as guardians of the public liberty, might see ample reason to refuse. The first duty of an executive Government was the preservation of life and property. The first duty of a Representative Legislature was, to take care that in the preservation of life and property, the safeguards of individual liberty be not unnecessarily infringed; and he conceived no man could stand in greater need of indulgence for his own errors than he who, enjoying the comparative freedom of the Representative character, was not willing to allow a large measure of indulgence towards what he might think the errors of those who were acting under the harassing responsibility of the Executive. He was told, that if the opposition which he and others felt it their duty to offer should chance to be successful, the result would be that which none more than himself would regard as a national calamity—the resignation of the present Ministers. He confessed he had no such apprehensions. He granted that a Minister ought to resign the moment that Parliament refused him such powers as were necessary to carry on the Government; but he did not believe, that the noble Lord would set up his own individual opinion as conclusive proof of the fact of that necessity—such opinion being in direct opposition to that of a majority of the House. A resignation under such circumstances would prove that of which the world needed no proof—the sincerity of the noble Lord; but it would prove little respect either for the House or the country. It was the duty of his Majesty's Ministers to accept such powers as the House might be pleased to confer; if, after a fair trial, (the only satisfactory proof in such a case, and a proof which was still wanting,) they came down to the House and said, that the powers which had been given had been found insufficient for the final extinction of outrage, such was the confidence which the House and country felt in his Majesty's present Ministry, he believed their own assertion would then be taken as conclusive proof of the necessity. At all events, it would then be time enough for the Representatives of the people to consider by what sacrifice of individual opinion they were willing to purchase the further services of a Ministry, the most honest in intention—ay, and he would say, notwithstanding the taunts which had been thrown out against them in the mortification of political defeat—looking at the practical good which they had accomplished, and the practical evils which they had warded off during their short term of power, he should say the most efficient Ministry that ever guided into the haven of public tranquillity the vessel of a decayed and almost shipwrecked Constitution.

Lord *Morpeth* was unwilling to thrust himself hastily forward, till he had heard the opinions of many other people. He contemplated this Bill with much sorrow, and he subscribed to the justice of all the epithets which, with great impartiality, both the friends and the enemies of the Bill had applied to it. He admitted, that it was arbitrary, despotic, severe, and cruel. The hon. member for Liskeard spoke of it as an unwise measure, but in that opinion he did not agree. Another hon. Member termed it monstrous, and in print it had been called an infernal bill, but he objected to that epithet, as impugning the motives of its authors. It had been called monstrous and atrocious. He felt, nevertheless, that it was necessary to adopt it, because it had two attributes which rode over all the others. The Bill was, first, a measure of stern necessity; and next, it was a measure of sovereign mercy. To the best of his judgment, the Ministers had completely established their case. In every part of society the confidence in their characters was fully established. Every person with whom he was acquainted—in every society with which he mixed —he heard people congratulating themselves that they were out of Ireland. No property was safe there; and there was no capitalist who did not rejoice that he had no capital in Ireland. That was what he had gleaned in conversation. He would ask those who argued against this measure, having a character of mercy, to put themselves in the place of the solitary inhabitant of a cabin in Ireland, and say whether they would not rather be disturbed by the entrance of the authorized servants of the King, than by the unauthorized outrages of miscreant marauders banded together for the execution of the mysterious mandates of capricious and bloody revenge? Severity towards such savage prowlers was mercy to the peaceable and unprotected. The hon. member for Newport had instituted a comparison between the proceedings of Swing in England and the Terry Alts in Ireland, but the great difference, or rather the contrast, between the two countries was, not so much in the nature of the outrages committed, as in the sympathy of the people. Here, when Swing was heard of, he could only be connected with some Gentleman riding in a gig; but in Ireland an outrage was followed most generally by an attempt at a rescue and an affray with the police. Nothing had to his mind so well illustrated the state of the country as the circumstance mentioned by his right hon. friend (the Secretary for Ireland) in the appeal he had made to the House, of the stoppage of the boats of the Ireland Steam Navigation Company. It was said, that the want of employment was the cause of the disorders of Ireland. Of that opinion was the hon. member for Knaresborough, who cheered his remark, and he well remembered, that he was one of those who were most prominent in making it. The hon. member for Newport told the House, like many who had gone before him, that the predial and political disturbances were totally distinct. He must say, that it would be very litle consolation to him if he were called out of this house to be shot, to be told that he was the victim of a predial and not of a political disturbance. And it was then inferred that the onlyremedy for these grievances would be the adequate employment of the people. Let the House remember the statement made by the agent of the managers of the Inland Steam Navigation Company, which was quoted by the right hon. Secretary for Ireland. 'He 'now reports,' said the statement, 'that 'six of the largeiron-trade barges, containing about 300 tons of grain, flour, and 'other valuable property, intended for 'Dublin and Liverpool, with a large quantity of cattle, have been stopped on their 'passage from the Shannon to Dublin, 'and the persons in charge of the horses 'employed in tracking them forced to fly, 'by gangs of armed men in the middle of 'the day, and their lives threatened if 'they attempted to assist in getting the 'barges on their destination. The con'sequence is, that property to the extent 'of 10,000*l.* at least, now lies in these 'boats, every day and hour becoming from 'its nature deteriorated in value, and 'liable to injury, and none of the men in 'the Company's employment dare proceed 'in their removal.' They have been offer'ed double wages to do so, but all to no 'purpose.' Conciliation was a golden rule of policy, and it was the only rule which could be applied with ultimate safety and success to the grievances of mankind. It was lovely in its nature and lasting in its effects; but he doubted whether, at the present moment, conciliation was adequate of itself to ensure the prosperous course of the navigation of the Shannon; or, ascending from a part to the whole, to give facility to employment, and encouragement to capital throughout the country. He knew nothing, however, which could give a better idea than that short extract of the close connexion which existed between the continued disturbance and the protracted impoverishment of Ireland. Other hon. Gentlemen laid great stress—and he believed very justly—upon Poor-laws. Against the introduction of Poor-laws into Ireland he wished to say nothing. At the proper time and opportunity, he might be disposed to say a good deal for them; but in the present state of parliamentary and official leisure, he owned that he should be very sorry, if he lived in the county of Kilkenny, to be told to remain in his house, and wait for the concoction and promulgation of a satisfactory system of Poor-laws for Ireland. He returned to the point he set out from, by stating, that he believed this measure was not more one of stern necessity than of sovereign mercy. As he felt that that was not the time for examining, far less for pledging himself to all the precise and particular provisions of this Bill, it would be sufficient for him to state, that without departing from his attachment to all the great principles and guarantees of constitutional freedom—those principles and guarantees which formed at once the safeguard and the ornament of well-ordered and peacefully-administered communities, his first and fixed aim, in the future progress of this Bill, despite the "will nots" and "shall nots" of the hon. member for Newport, would be to see how it could be made most efficient for its own purposes of protection and redress, for giving to the well-disposed and well-conducted portion of the Irish community a sense of security for their lives and persons—for the quiet enjoyment of the fruits of their industry, and for the peaceable possession of their hearths and homesteads. The hon. member for Newport had appealed to the House to know whether there was one in a thousand of the people of England who did not read this Bill, as a Bill for the "suppression of Mr. O'Connell," as the hon. Member termed it. He did not wish to be tempted into any personality. He anxiously wished to avoid saying anything disrespectful to any Member of the House; but why did the hon. Gentleman tempt him to inquire how the English people would receive the Bill if they did so read it? He believed, however, that such was not the view which the English people took of it. He believed they had lately become acquainted with the exigencies of the case; and that, with whatever regret they might view the introduction of measures of so harsh a character, still they bowed to the necessity which alone could justify them: and sorry, indeed, should he be, so far to overstep the recognized bounds of the Constitution, and the ordinary landmarks of freedom, and yet, after all, in deference to any point which might suggest a plausible argument, swell a vehement invective, or elicit a sounding cheer, stop short of the very means which could alone ensure the justifying object. Of the Bill before the House, he had thought it his duty to say thus much. With those who entreated his Majesty's Government subsequently, and as far as possible concurrently, to carry into effect measures of large relief and wise amendment he entirely concurred. He did not doubt their good dispositions, but he felt more than ever how necessary it was that they should call them into speedy action. There were other hon. Members with less benevolent views, who reproached his Majesty's Ministers with a reckless and entire deviation from the political principles which had heretofore guided their conduct in public life; there were others who, perhaps, with less wish to censure, expressed more of pity than reproach for the position in which the Ministry were placed. He did think it a pity, and he did deeply regret that the situation of any portion of the empire should force upon them the course they were compelled to adopt; but with regard to their own credit and character, his views were of an entirely different nature. Whether it were in the sunshine of popular favour or under its cloud, it mattered not to him.

Did I but purpose to embark with thee
On the smooth surface of a summer sea;
But would forsake the ship and make the shore,
Where the winds whistle and the tempests roar.

With whatever pleasure and perseverance he might have served under the banners of his noble and right hon. friends, in many a well-fought field of civil and religious freedom, against the formidable array of long prescription and old abuse, he owned, if he had not found them ready with as bold a front to meet the aggressions of factious turbulence, to quell with as firm a voice, the ruffian shout of anarchy—and to fight, with as stout a hand the battle of law, property and peace—if, having gloried in the smiles of the people, they had shrunk in a virtuous cause from their frowns—if they had forgotten that though it might be the delight of a statesman to do what was popular and palatable, it was his glory to do in all chances and changes of fortune only what was right;—he should have mourned their degeneracy, and he could not have felt for them that attachment and respect which he was thankful now to feel; and he only hailed, in this exhibition of their conduct, another proof of that which he should have expected to find, that the firmest friends of freedom would always be the steadiest repressors of outrage, and the most resolute upholders of order.

Mr. *Blackney* regretted that the noble Lord, the Lord Lieutenant of Carlow, (Lord Duncannon), had not been present when he had presented some petitions from that county, or the noble Lord would have been convinced that its inhabitants were as peaceable as men could be. Up to the last month, it had enjoyed comparative tranquillity. The noble Lord said, that he had lately heard some reports of disturbances, but he was of opinion that they were much exaggerated, and that within a month there was but one outrage of an aggravated character. Carlow had been quiet till the Whitefeet had penetrated into it. The police and the country gentlemen did not prevent them. They came from the neighbouring counties till they reached the river, and they did not care one farthing for the river, that did not stop them; they passed over without caring for the bridge. He could assure the House that the Whitefeet had not for a long time perpetrated further into the county than two miles. They should not legislate upon the reports contained in the right hon. Gentleman's box of reports, that came from the chiefs of police, their subordinates, and similar suspicious testimony. He did not believe that one half of the outrages were committed, that were described as having been committed in those reports. It was the apathy of Magistrates, and the utter neglect of the Police, either to patrol the county, or perform their other duties which had caused the spread of Whitefootism into Carlow. Had proper measures been adopted in time, the outrages might have been immediately and perfectly checked by [cries of "Question."] What he was about to unfold was as important as any matter that had ever been brought forward in that House, and that it was of the greatest importance to the liberties of Ireland, and to the liberties of England too, for that when they once destroyed Ireland they might quake for their Constitution. He stood there to free his county (the county of Carlow) from an unjust stigma that was attempted to be cast upon it. ["*Question.*"] There was no question. This was a most important matter. ["*Question.*"] "If I am to be interrupted in this way," continued the hon. Member, addressing the Speaker, and then taking a glance at the clock, which stood at 10 o'clock, "I will, with your permission, Sir, continue to speak till the small hours." He had been twenty years and upwards a Magistrate and a Grand Juror in the county of Carlow, and there was not a more peaceable county during that period in all Ireland. There were very few capital convictions, and altogether the district was most tranquil until recently. As an instance of the manner in which petty offences in Carlow were exaggerated into dreadful crimes, he would mention, that a person had been accused by one Ann Magee, as the perpetrator of a most horrible outrage, because he had scooped out the eyes of a blind horse. He begged leave to correct himself—one eye was quite blind, and the other eye was little better. The woman suffered no injury for the evidence which she gave. Two months after, however, she was taken up for setting fire to the hay-rick of the Magistrate before whom she gave information. In the county of Carlow, he knew instances in which men who were engaged as half and half policemen to preserve the public peace, were the first to instigate outrages. These men were paid 2*s.* a-day during the time of their employment, and, doubtless, they found their account in keeping the county in a state the reverse of tranquillity. Party feeling still ran high in Ireland, and the powers given by this Act would cause it to burst out with additional rancour. If the police could not conceal their antipathies in the open day-light, how much less would they attempt to do so at night. Let those unfortunate men who dared to vote against the wishes of the landlords at the elections beware of domiciliary visits. He recollected the year 1798. He recollected the insults which females then suffered. There was one fact more that he wished to mention. A petitioner to that House had described the manner in which his house had been entered; whilst he was standing at the door, he saw the troops and police approaching—he opened the door. They, however, rushed rudely by him, and proceeded to search the house in a very violent manner. He told them that there was a young female in the house who had been recently confined. He entreated them not to alarm her, but they paid no attention to his entreaties, and not content with searching about her room, shook the bed and linen in a most indecent manner. It might be a subject for laughter to the House, but he assured them that nothing had on former occasions so much tended to excite the indignation of the people of Ireland as the brutal insults on the part of the soldiers and police towards the females of that country. This woman was highly respectable, but were she the poorest woman in the land it would make no difference. The husband complained to the Lord Lieutenant, but he was told that the Government had given an order to search for arms, and no other satisfaction could he obtain.

Lord *Duncannon* said, that he had laid some returns before the House connected with the state of the county of Carlow, by which it appeared, that since July, and previous to September, the number of Whitefoot outrages returned did not exceed fifty or sixty. In December last, there were 113; in January 205; and in February, which return he did not possess when he last spoke on the subject, he was happy to say, there was some diminution, the number being 146. These were all serious offences coming within the denomination of Whiteboyism. He would describe one or two of them. In one instance a man was dragged from his bed to the door of his house, and then placed upon his knees, and compelled to swear that he would, on the next day, give up some land which he held. In another case, a man was placed upon his knees before his door, and compelled to swear, that he would not pay more than a certain sum to his landlord. In the third case, the proceeding was a novel one; a man who had parted from his wife was placed upon his knees, and sworn to take her back on the following day. He admitted, that political feeling was very strong, and led to outrages on both sides. During the last election, a medical man received notice, that if he voted for Mr. Blackney, he might as well prepare his coffin. He did vote for him, and the next night he was pulled off his horse, and thrown into the river. He admitted also, that the influence of Dr. Doyle and the Catholic priests had kept his county quiet till December last, but the fact of their exertions having now failed, proved to him very strongly the necessity for increased powers.

Mr. *Lynch* regretted, that his Majesty's Ministers should have been induced to bring forward such a measure, especially without inquiry. Why did they not act as they acted in 1819, when, being in opposition, they called on the Ministers of the day to prove their case. They might then have satisfied the country that they had some ground. But what had they done now? Why, they had shown that Kilkenny, Westmeath, Queen's County, Louth, part of Carlow, and, from the testimonies of the noble Lord (Oxmantown), on Friday last, he supposed he might add King's County, were in a state of disturbance. But was a general and sweeping measure like this to be applied to a partial evil? They had only proved half their case. They had proved the existence of crime, but they had connected that fact with another, which had nothing to do with it, without at all attempting to prove the connexion. The Ministers, instead of impeaching the law, ought to impeach themselves for not executing it; and he referred to the speech of the Judge at the Waterford Assizes, in proof of it. In Clare, Galway, and Roscommon, the Ministry admitted, that they had been unsuccessful in putting the law into execution. When they took office two years ago, they found England in a most disturbed state; did they then apply for additional powers? No, they put the law in force; and why did they not give it a trial in Ireland? They complained that justice was impeded in Clonmel. Why, out of 165 Jurors, seventy-six attended, and that at a time when the cholera was raging dreadfully, and the fear of infection was very great. The Catholics, too, knew that they were always set aside when they did attend, especially in Crown and tithe cases. But even here they succeeded in obtaining a conviction in almost every case. With regard to the Carrickshaugh case, the facts were, that there were three trials: in the first, there was a failure in the proof of identity; in the second, the witness broke down; and in the third, the Jury gave the accused the benefit of a most excellent character. What argument then could be founded on this? They might as well say, that Jurors would not do their duty in England because a Jury acquitted Watson. He saw no reason for superseding the Trial by Jury. It had been said, that one witness had to be escorted into Clonmel; but who was he? He was a clergyman and a great exactor of tithes. Now, if other witnesses were able to go into the town without any escort, was it not reasonable to suppose that the necessity for the escort, in the case of this gentleman, arose from the fact of his being a tithe-owner, and not of his being a witness (which was the position maintained by hon. Gentlemen opposite)? It was said, that there was plenty of evidence to show that witnesses were intimidated; but that evidence was carefully kept concealed from the House. Supposing, however, that witnesses were intimidated, must all liberty be surrendered? Must the *Habeas Corpus* Act and the Trial by Jury be given up? The argument of the noble Lord was, that in Clare and in King's County outrages had taken place in the open day; that evidence against the perpetrators of offences, on which the ordinary tribunals of the country would convict, could not be procured; and that, therefore, Courts-martial must be established. Now, what was the inference the people of Ireland would draw from that? Why, that other evidence than would satisfy the ordinary courts of the country would be received by the Courts-martial. He recollected that, in another place, the Lord Chancellor of Ireland truly said, "that to convict without evidence was not the way to protect innocence." The same argument applied here; and he said, if you would remedy the grievances of which you complained, apply to the ordinary law. He had endeavoured to show, that the argument in favour of the Bill arising from the failure of justice had no foundation. In doing so he had something that took the shape of an argument to contend with; but when he applied himself to the grounds for suspending the *Habeas Corpus* Act, he did not find a single argument advanced, nor could he believe, that it was possible to advance one, in favour of that proposition. There was no war—no threatened invasion—no competition for the Throne—no actual rebellion; and he defied the hon. and learned Attorney General, or the hon. and learned Solicitor General, to state a single instance of the suspension of the *Habeas Corpus* Act, which had not been accompanied with one of these conditions. In 1819, this country bordered more on rebellion, and was in a greater state of disturbance than Ireland at present; and yet the *Habeas Corpus* Act was not suspended. It was true, the Six Acts were introduced; and he remembered that they were said to constitute a greater inroad on liberty than even the suspension of the *Habeas Corpus* Act; that the *Habeas Corpus* Act was merely a rod, whilst the Six Acts formed a whip of scorpions. But what was now proposed? Why, both the rod and the scorpions. There were to be no meetings —no discussions—no liberty of the Press. And on what grounds were these severe measures to be adopted? Because there was a connexion between political and predial agitation; and because, also, although that was not openly admitted, it was wished to put down all discussion on the Repeal of the Union. With respect to predial agitation, this Bill was perfectly unnecessary, for the ordinary tribunals were competent to put it down. With respect to political agitation, if the Bill were intended to stop discussion on the Repeal of the Union, it was subversive of all liberty. Were men not to be allowed to discuss the propriety of an Act of Parliament? The Act of Union was an Act of Parliament; and either it was conducive to the interest of the two countries, or it was not. If it was, why not discuss it; since the more frequently it was discussed, the better it would appear. If, on the other hand, it was not for the welfare of the two countries, why should it not be repealed; but, above all, why should there not be liberty to discuss it? It had been said, that you might as well attempt to cure a man of the cholic by brushing his clothes, as to secure the affections of a nation by violence. In fact, the more you attempt to put down the question of the Repeal of the Union by violence, the more it would be agitated; and the natural effect of persecuting particular opinions was more firmly to fix them in the minds of the people who already held them. In 1817, the Ministers thought they had put down the question of Reform; but what had happened within these two years? And the present measure would, no doubt, be equally successful with the attempts of the Government in 1817. With respect to the connexion between political and predial agitation, he had no hesitation in saying, that none had been proved. But then it was argued by the hon. and learned member for Leeds, and by the right hon. Baronet, the member for Tamworth, that the connexion was to be inferred from their co-existence. He could demonstrate to the House, that co-existence was not constant. In 1775, in 1776, and in 1822, there was predial agitation, and no political agitation. On the other hand, in 1793, in 1794, in 1812, and in 1828, there was political agitation, and no predial agitation. There was, therefore, no force whatever in the argument of co-existence. The right hon. Baronet next said, that, because the society of United Irishmen issued addresses, warning the people to be quiet, and the Political Association in Dublin now do the same—there must be a connexion between political and predial agitation. To refute that fallacy he would content himself with referring to the express evidence of Mr. Barrington, who distinctly said, that no such connexion existed. But the noble Lord opposite said, if they be not connected, one has an influence over the other. But, what an argument was that? Public meetings, the liberty of the Press, Political Unions, might all incidentally have an influence over political agitation, and over predial agitation; but, were public meetings, Political Unions, and the liberty of the Press all to be put down, and all the interests they protect be placed in jeopardy? It was said, by some hon. Members, that if the same state of things were to arise in England, they would be ready to adopt the same measure of redress as they now proposed for Ireland. But would his Majesty's Ministers be ready? Had they shown it in their speeches? Did they show it in their acts? There had been both predial and political agitation in England, and they had not sought so to put it down. They put down predial agitation by the power of the laws, and had not put down Political Unions at all: but now they wished to put down all unions or assemblages in Ireland. Was that justice? Was that equal rights and equal laws? Besides, let him ask the Gentlemen on the other side, whether they could show him an instance in history, of political agitation having existed without grievances? Political agitation had always arisen for the redress of grievances. It had been said, that Catholic Emancipation had not been attended with the effects expected from it. Now he could deny that assertion upon the authority of the right hon. Baronet, the member for Tamworth; who, some time after that healing measure was passed, declared, in this House, that it had been attended with the most salutary effects, and would shortly enable the Government to withdraw a part of the military force from Ireland. No doubt that country had since become disturbed; but why? The measure of emancipation was too long delayed, and was accompanied with measures of severity—even as the measures of conciliation at present proposed were accompanied by this Bill. Catholic Emancipation was granted, but the forty-shilling freeholders were disfranchised, and the consequence was, that, within six months, numerous families were turned out of house and home, to become at best wandering beggars, which was the origin of the greater part of these outrages. But were they to forget what had taken place in different parts of Europe since that time? France had been revolutionized—Belgium had been revolutionized—England had been reformed. Why then was Ireland to remain quiet under the burthen of her numerous grievances, which all allowed to exist, and to some of which his Majesty's Ministers said they would apply remedies? He was told to have confidence in his Majesty's Ministers, and in their promises; but his answer was the same as that of a noble Lord who had preceded him, that confidence was no argument in a question where the safeguards of the Constitution were concerned. He could have no confidence in men who called upon the House to give into their hands the liberties of the country. He could have no confidence in men who had proposed this measure to the House—who had boasted of its severity, and gloried in its wide departure from the Constitution. Whatever confidence he might have had in them, previously to the bringing forward of this measure, or whatever confidence their conduct might again inspire him with, upon this Bill, he should assuredly give them none. As to the remedial measures to be proposed, were Ministers certain of carrying them? If they were not carried, were Ministers prepared to give up this Coercive Bill? If they were prepared to give up the Bill, what then became of the argument of "overwhelming necessity?" If they were not prepared to give up the Bill, why were the remedial measures described as a sort of corrective or lenitive to coercive enactments? However these questions might be answered, let the remedial measures be as conciliatory and as sweeping as they might, they would lose their effect, on account of their connexion with this Bill. There could, or ought to be, no connexion between the two sets of measures. How, on principle, could a measure—bad in itself—be justified by the passing of a measure, collaterally good? A bad measure, *per se*, could not be justified by the passing of another in itself good. But thus it had always been with Ireland; and thus it was, that even Catholic Emancipation could not be granted without being accompanied by an equivalent measure of severity. That measure of severity was not only quoted as a precedent for—but was the cause of—the Tithe Bill of last year; and that Tithe Bill, in its turn, had produced the present measure; and, if another could be found more severe than this, it would afterwards be required in consequence of this, and if such another could not be found, then recourse must be had to the sword. This double-faced legislation was unworthy an enlightened Government—coercion took away from the grace of remedy—remedy rendered coercion less efficient. It had been said, that crime had increased; but must they not look to the causes of that increase? Ought they not to look to the parts of Ireland where it had increased? And, if on so doing, they should find that it had increased most in those counties where the tithes had been most severely exacted, what would the House infer? Yet such was the fact, as might be seen by the evidence of Sir Hussey Vivian, Colonel Verney, and others, who all concurred in saying, that the grievances of Ireland was tithes. If they wanted to put an end to discontent, they ought to remove its cause? If Ministers were prepared to remove that cause, why did they ask for any other measures? If they were not prepared, then this Bill was "a Tithe Bill." Mr. Grattan said, that the Whiteboy Acts were tithe Acts; that the Riot Act was a tithe Act; that the Insurrection Act was a tithe Act; and if he were now alive, he would brand this measure with the same designation of "a tithe Act." He besought his Majesty's Ministers to put an end to this vicious legislation, severe on the one hand, and conciliatory on the other; a legislation not for the people, but for a faction; a legislation not for the millions, but for half a million; a legislation for the pale, and not for Ireland. Before adding another coercive law to the Statute Book—before setting another precedent for the extinction of liberty, let them recollect the warning words of Earl Grey in 1794:—that "revolutions are brought about less by parties who oppose the Government, than by the Government itself."

Mr. *James Talbot* would have contented himself with giving a silent vote in favour of Ministers had not his name been introduced during the discussion by the right hon. Irish Secretary, in reference to a use made of it in a letter addressed by Mr. O'Connell to the Irish Volunteers. He was sure that that learned Gentleman never intended to impute to him unworthy motives when voting in opposition to himself, for the learned Gentleman well knew that the imputation would be false; and if the learned Gentleman had ventured so to represent him he would have promptly given him the flattest contradiction. It would have given him great pleasure to have voted with the learned Gentleman, but he was painfully convinced, by the right hon. Secretary's statement, that some strong measures were necessary to the peace of Ireland. He was compelled, indeed, to admit, that his Majesty's Ministers had made out their case, and that they had showed the necessity of having recourse to those extraordinary measures which they had proposed. There was only one point stated on the part of Members on the opposite side of the House with which he could agree; and that was the fact stated by the hon. member for Kilkenny, which completed the chain of proof established by the right hon. Gentleman—that, as crime increased, the number of committals decreased. A better proof there could not be of the system of intimidation which had existed in Ireland. Misgovernment afforded food for agitation, and agitation, on the other hand, gave rise to unconstitutional measures of Government. At the same time he would not pledge himself to every detail of the Bill. He objected to domiciliary visits as a horrible abuse; he denounced arbitrary imprisonment as unnecessary. With regard to Courts-martial, if he (Mr. Talbot) were to be tried for his life, he would as soon be tried by a Court-martial, as by any other tribunal in Ireland. Whatever doubt, however, he might have about predial agitation, no doubt could be entertained relative to political agitation, the object of which was to crush all individual opinion. It had been asked by the opponents of the Ministerial measure, whether the Members who supported that measure would support a similar proposition with respect to England. His answer was, that he certainly would, and he believed that other Members would do so likewise.

Mr. *Charles Grant* said, he should certainly not detain the House by entering into any long discussion upon the general question; but he trusted that the House would permit him to advert to two or three particulars which had been mentioned in the course of the debate. He observed that hon. Members had extended the discussion to certain particulars, for which the present was certainly not the proper period; but considering the importance of the measure, he thought that very excusable. It had been taken for granted, (particularly by the hon. member for Newport), that when a district was once proclaimed by the Lord Lieutenant, then Courts-martial were to be immediately established. But that did not follow. On the contrary, it was provided, that there should be a gradation in the quantity of coercion, and that the utmost degree of it would never be applied until the inferior ones had been found to fail. Domiciliary visits were first to be adopted; and if they were successful there would be no necessity whatever for Courts-martial. Much had been said of this measure being an extraordinary violation of the principle of the Constitution, and that, as such, it would prove a dangerous precedent to the rights and liberties of the subject. It was an extraordinary stretch of the law, but because it was so, he agreed with his right hon. friend (Mr. Stanley) that it would not prove a dangerous precedent. He had himself, some years ago, opposed a mitigated form of the Insurrection Act in Ireland, because its mitigation would make it a dangerous precedent. It had been an old argument of his (Mr. Charles Grant's) that when a deviation from the strict course authorised by the Constitution became necessary, that deviation ought to be so distinct, and so well marked, that no danger could ever arise of its ever being drawn into a precedent. If it were intended to make lasting encroachments upon the Constitution, the proper course would not certainly be to make a glaring deviation from its principles, but to make a slight and almost imperceptible change at first, and to proceed by degrees to overthrow the whole fabric. It was therefore his opinion that if it were necessary to deviate from the Constitution, the line of demarcation ought to be so distinct, that there should be no danger of their proceedings ever being mistaken for a constitutional measure. He, therefore, contended that it was a wise and just principle, when it was necessary to deviate from strict law, to adopt a course so widely departing from the usual line of proceeding, that it should be totally impossible ever to mistake the one for the other. It was admitted on all hands, that danger existed, and he congratulated the House on the unanimity which existed on that point. It was admitted, that a case of extreme danger arose from predial agitation; but the hon. member for Newport contended, that political agitation had nothing to do with predial agitation. But what was the meaning of that soft, mild term, predial agitation? It meant all that system of crime, all that cowardly course of aggression on unoffending individuals, which spread desolation through Ireland. Under the soft and flowery term of predial agitation, had been included all those horrible outrages which had revolted the feelings of this House, and which a Christian country had rarely seen. With respect to political agitation, it had not for its objects the improvement of Ireland, its objects were inconsistent with the integrity and prosperity of the British Empire. Those who were at all acquainted with Ireland knew that there was generally in some part of the country or other an insurrectionary spirit—a species of smothered combustion; if to this incipient fire were added any additional and particular pressure, arising out of the conduct of a landlord, or even of a clergyman, the flame broke out, and predial agitation began. In the present state of that country it was impossible to distinguish between political and predial agitation; they arose out of the same elements, were fed with the same fuel, produced the same resentments, and employed the same weapons, though, perhaps, of different temper. It was out of the question to suppose, therefore, that they should not mutually re-act; and if there really were no connection between them, why was credit taken by political agitators for allaying predial agitation? To revert, however, to the nature of the tribunal by which criminals were to be tried; some hon. Members objected to Courts-martial, but, as had been already justly remarked, who had been able to point out a fit and adequate substitute? Other plans had been talked of, but in his mind, they were all more objectionable than the proposition in the Bill. One had suggested barristers; another Judges, and a third Magistrates. As to barristers, did not every body know, that a strong prejudice would exist against them on the ground that they would be anxious to please Ministers by producing convictions? To the suggestion for appointing Judges, the hon. member for Dublin had himself replied in his speech upon the Address at the opening of the Session, when he asserted that the people had no confidence in the Irish Bench. If such were the fact, how could the Judges on the Irish Bench properly carry the Act into execution? He thought, however, that there was another, and a much juster objection to the employment of Judges—it was, that they ought never to be called upon to act at the Assizes, without the assistance of a Jury, and without the sacred and dignified accompaniments of their station. To alter this system was without precedent, and would certainly have a bad effect upon the people. The third suggestion was, that the trials ought to be left to the magistracy; but the Magistrates the hon. and learned member for Dublin had also declared in the first debate of the Session, had entirely forfeited the confidence of the people. What outcries too would be raised, if Ministers listened to this proposition for throwing the people of Ireland into the hands of the Orange Magistracy. This was the very evil the Court-martial was erected to avoid. The hon. member for Newport (Mr. Hawkins) had made a fourth and a still more extraordinary proposal. He had contended that English lawyers should be employed to try murders committed in Ireland. Such a proceeding would indeed kindle the national hatred; the people of Ireland had already been told, that the English were their enemies; and would it not be held out by the agitators—the declaimers against the Sassenagh—as the completion of the degradation of their country, that Saxon lawyers had been brought over to pronounce upon the destinies of the ill-fated Irish. Although the present measure might not be carried into effect, it was still necessary, and might be most useful, in deterring from crime. He believed that the attitude already taken by Parliament, and the determination shown to put down rebellion, had struck terror into the hearts of the agitators. In his opinion it was one great merit of the Bill that to employ it was left to the discretion of the Lord Lieutenant, and it would be a praise to the measure and an honour to those who brought it in, if it were found not necessary to carry it into execution. It had been said, that Ministers were governed by party motives, and that they had introduced this Bill to answer political purposes. It was not by any means the first time that the intentions of public men had been impugned; but he ventured to assert that the Bill rested upon public grounds only, and that it did not originate in sordid or party views. Upon the same principle the Reform Bill had been introduced, and upon that principle it had been carried. Ministers thought, that the existing danger, if not repressed, would not only desolate Ireland but peril the existence of the Empire. Whether the Bill were received with applause or censure, its promoters were resolved to keep their course. Ministers were responsible, and what they deemed their duty, that they would perform, and, with the blessing of God, the Empire which they received from their predecessors compact and united they would deliver to their successors one and undivided. In addition to the approbation of their own consciences, they hoped to meet the approbation of the general body of the inhabitants of the United Kingdom. However anxious Ministers were to maintain personal freedom, they were resolved to preserve the integrity of the Empire, and to remain true to the great principles which ought to govern British Statesmen.

Mr. *Lalor* contended, that all the accounts from Ireland received by Ministers, and which were employed as the foundation for this Bill, had been most grossly exaggerated. In the county he represented (Queen's County), he could safely assert, that crime had been magnified five hundredfold. The state of society in Ireland was not to be judged of by comparison with the state of society in England, and a vast deal more information was necessary on that subject before this measure could be justified. If an opportunity were afforded, he pledged himself to prove, that persons had been employed to seduce the lower orders, and to promote agitation, in order to form a foundation for the Bill. He had no objection to the adjournment of the debate; but if it were not adjourned, it was but fair to give him a hearing. Interruptions here taking place, the hon. Member moved the Adjournment of the Debate.

Mr. Cobbett seconded the Motion.

Colonel *Davies* said, it was for the House to decide whether it would submit to be thus constantly bullied—whether it would thus, night after night, be insulted, because hon. Gentlemen thought they were not sufficiently attended to, or their talents properly appreciated. They were now arrived at the eighth night of a debate on the principle of a question, and the hon. Member would further prolong it, because, forsooth, his abilities were not bowed down to; thus neglecting the whole business of the House, and the whole business of the country. He could only say, if the noble Lord chose to sit till that time the following evening, he would stay with him.

Mr. *Fergus O'Connor* did not exactly know what the hon. Member who spoke last meant. He begged to say, that all the patience was on his side the House; from it there had been no interruption whatever —all was attention, calmness, and respect.

Lord *Althorp* did not think that the interruption had been more on this than on previous occasions. He should have been exceedingly glad if the hon. Member had been allowed to conclude; but he must say, he felt it to be absolutely his duty to resist any further adjournment, which was necessary, if they had any intention to get on with the business of the country. The hour was not very late. He should be glad if the House would attend to the hon. member for Queen's County; but, under any circumstances, he could not consent to adjourn.

Mr. *Lalor* would not press his Motion. He would conclude by imploring them in the name of his country, not to press this bloody law on unfortunate and ill-used Ireland.

Mr. *Maurice O'Connell* said, he would not detain the House long, but he felt it his duty to protest against the whole Bill from beginning to end. The hon. member for Inverness-shire had asked how it was, that political agitation had not put down predial agitation during the last twelve months? He would tell the hon. Member that the reason was, because within that period the right hon. Secretary for Ireland had passed a Bill for the collection of tithes, which had had the effect of creating disaffection, discontent, and insurrection. He condemned the establishment of military tribunals, and maintained that no good reason had been shown why offences in Ireland should not be tried by a Judge and Jury. He liked better than anything he had yet heard as a substitute for the proposed Courts-martial the proposition of the hon. member for Newport, for sending over English lawyers in substitution of the Courts-martial. How many of their Judges had been English lawyers? How many of their Chancellors? And yet there never was known to be any prejudice against them. As to Juries, he positively denied, that a single instance had been made out in which Juries had not done their duty. They had assertion on this point—they had a deal of talking, and a deal of declamation, but they had not heard one fact—there had not been even one solitary case proved. The hon. member for Inverness-shire complained of Ministers being accused with having brought forward this measure from personal feeling. Had they, he asked, given no ground for that charge? Was not the greater part of the right hon. Secretary's speech made up of a violent philippic against the hon. and learned member for Dublin? The right hon. Secretary had taken upon himself to lecture the hon. and learned Member on account of a letter written by him in which he referred to the people of Athlone, in which he asked them what they thought of the conduct of their Representative. He contended that the hon. and learned Member had a perfect right to put that question, and that the appeal he made to the constituents of the hon. member for Athlone was entirely constitutional. He knew not what effect the atmosphere of that House might have had on that hon. Member, but this he could say, that seven or eight months previous to the last election the hon. Member was admitted a member of one of the most violent political clubs in Ireland. The hon. Member concluded by observing that the ordinary law of the land was sufficiently strong for the suppression of disturbances.

The House divided—Ayes 363; Noes 84: Majority 279.

Bill read a second time.

List of the NOES.

ENGLAND.
Aglionby, H. A.
Attwood, T.
Bayntun, Captain
Beauclerk, Major
Bowes, J.
Brotherton, J.
Buckingham, J. S.
Buller, C.
Bulwer, E. L.
Bulwer, H. L.
Cobbett, W.
Cornish, J.
Ewart, W.
Fancourt, Major
Fielden, J.
Grote, G.
Gully, J.
Harvey, D. W.
Hawkins, J. H.
Humphery, J.
Hutt, W.
Ingilby, Sir W.
Kemp, T. R.
Molesworth, Sir W.
Palmer, General
Parrott, Jasper
Philips, M.
Richards, J.
Romilly, J.
Romilly, E.
Scholefield, J.
Strutt, E.
Tayleure, W.

Tennyson, Rt. Hn. C.
Torrens, Col. R.
Tynte, C. K. K.
Tynte, C. J. K.
Warburton, H.
Wood, Alderman
Wilks, J.

SCOTLAND.

Gillon, W. D.
Oswald, R. A.
Oswald, J.
Wallace, R.

IRELAND.

Baldwin, H.
Barron, H. W.
Barry, G. S.
Bellew, R. M.
Blackney, W.
Chapman, M. L.
Daunt, W. O. N.
Finn, W. F.
Fitzgerald, T.
Fitzgibbon, Hon. R.
Fitzsimon, C.
Fitzsimon, N.
Galwey, J. M.
Grattan, J.
Grattan, H.
Lalor, P.
Lambert, H.
Lynch, A. H.
Maclaughlin, L.
Macnamara, Major
Mullins, Fred.
Nagle, Sir R.
O'Connell, D.
O'Connell, C.
O'Connell, J.
O'Connell, Morgan
O'Connor, F.
O'Conor, Don.
O'Dwyer, A. C.
Roche, W.
Roche, D.
Ronayne, D.
Ruthven, E.
Ruthven, E. S.
Sheil, R. L.
Sullivan, R.
Talbot, J. H.
Vigors, N. A.
Walker, C. A.
White, L.

TELLERS.

Hume, J.
O'Connell, M.

Paired off.

Butler, Hon. P.
Dobbin, L.
Ellis, W.
French, F.
Gillon, W.
James, W.
O'Ferrall, R. M.

HOUSE OF LORDS,

Tuesday, March 12, 1833.

MINUTES.] Petitions presented. By the Earl of KINNOUL, from Perth, for Reform in the Administration of the Law (Scotland).—By the Earl of RODEN, from the Inhabitants of Killala, for the See of Killala to remain unaltered.—By Lord KING, from two Parishes in Ireland, for the Abolition of Tithes and Church Cess: from Ashburton, for the Total and Immediate Abolition of Slavery.—By the Duke of RICHMOND, from Roxton, for the Abolition of Slavery: from Brighton, for the Removal of the Disabilities from the Jews: and from Merthyr Tydvil, to Modify the Beer Bill.

QUEEN ANNE'S BOUNTY.] Lord *King* said, he rose for the purpose of moving for certain Returns, showing various payments which had been made by the Governors of Queen Anne's Bounty and the Commissioners of the Parliamentary Grant. The more he looked into this subject, the more he was convinced that a shameful misappropriation had been made—that the fund had been most improperly diverted to purposes the very reverse of which it had been originally destined for. This wanted immediate correction; and the only correction that could satisfy him—the only one that was proper and equitable—was, that all funds so improperly applied should be refunded. He knew not a more crying abuse than that the dignitaries of the Church, who were impropriators of the tithes of parishes, and in many instances afforded the most miserable pittance to the incumbents, should have these livings augmented by large sums from Queen Anne's Bounty, and the annual grant voted by Parliament. He could call this nothing else than obtaining money under false pretences, and those pretences of the most flagrant and unworthy character. These grants were obtained under the plea that the livings thus benefited were poor ones, when, in fact, they were rich benefices with poor-paid incumbents. What he maintained, ever had maintained, and ever would maintain, was, that these poor incumbents ought to have been maintained out of the benefices themselves and not to have come on a public fund for relief and support. It was a complaint of long standing, that the stipends of the ministers had remained till of late years the same, or nearly so, as in the reign of Edward 4th, and Elizabeth, although the value of money had so changed; and he contended, that the Bishops and the other dignitaries of the Church had not contributed their just proportions to the payment of their poorer clergy; for, the whole amount paid by them since the year 1703, when Queen Anne relinquished this branch of the revenue of the Crown, was about 2,400,000*l.*; whereas, if they had contributed according to the real value of the tithes, they would have paid, by this time, near 30,000,000*l.* They had unfairly and improperly taken advantage of Queen Anne's Bounty and Parliamentary Grant, though augmenting the incomes of livings held by their own servants and curates, out of that "Bounty," when such augmentation ought to have been made out of their own resources, and not out of any public funds. He would come to the facts. The Deans and Canons of Windsor were the impropriators of the tithe of the following parishes—(and here he begged leave to state, that the sums stated to be advanced out of the Parliamentary Grant and Queen Anne's Bounty were correctly given; he had examined them carefully, and pledged himself for their accuracy.) The greater part of the sums to which he should refer, were stated to have been advanced by lot. The governors of Queen Anne's Bounty drew, as they called it, a certain number of livings under 50*l.* where the population exceeded 1,000, with a view of giving several augmentations, according to the circumstances of each case, with regard to population, duty, and income; and it did so happen, that the high dignitaries of the Church were the fortunate impropriators of the tithe of many of the largest parishes, where the population even of rural districts exceeded 1,000, and where, from rigid adherence to the ancient scale of paying their curates the other qualification of a living under 50*l.* indisputably brought them within the rule of admission. With regard to benefactions, livings under 30*l.* might receive 200*l.* without any benefaction; but in cases where a benefaction of 200*l.* was made by any person, the sum of 300*l.* is paid out of Queen Anne's Bounty as augmentation; but, of late, these payments had been made very much out of the Parliamentary Annual Grant. The places on his list (with reference to the case of the Dean and Chapter of Windsor) were as follows. The noble Lord read this statement:—" Dean and Canons of Windsor, impropriators of following parishes received from Parliamentary Grant and Queen Anne's Bounty:—Plymsted, 1811, 600*l.*; 1812, 400*l.*; 1815, 300*l.* — Plympton, 600*l.*—St. Germans, 1811, 800*l.*; 1814, 400*l.*" He was told that the rental of the tithes of these parishes was 4,000*l.* a-year; but he did not mean to say that the Dean and Chapter received so much. The population, however, was very large; and they were assessed at 18,000*l.*, 15,000*l.*, and 10,000*l.* to the property-tax. Then came " Wembury, 1807, 200*l.*; 1816, 1400*l.*—Northam, 1764, 200*l.*; 1812, 400*l.*—S. Molton, 1813, 600*l.*" He ought to state, that the Dean and Canons of Windsor had raised the scale of remuneration to their stipendiary curates, under the Bill of 1831; and he did not know at present whether any sum had been advanced to these parishes by the Governors of Queen Anne's Bounty during the last year or not. Their Lordships, however, must recollect, that the last year was a great and important year; the Reform Bill passed, and people began to think of things they never thought of before. He came next to the case of the Dean and Canons of Winchester, impropriators of two parishes in Wales; parish assessed at 10,000*l.* property-tax; curate's salary, 31*l.* 13*s.* 4*d.* These parishes were " Holt, 1725, 200*l.*; 1733, 200*l.*; Iscoyd, 1749, 200*l.*; 1757, 200*l.*; 1798, 200*l.*; 1818, 200*l.*" Again, the " Dean of Exeter was impropriator of tithe of Landkey and Swinbridge, and in 1775, that parish received 200*l.*; 1810, 200*l.*; 1815, 1400*l.*—Swinbridge, 1750, 200*l.*; 1811, 400*l.*"—The noble Lord also enumerated the following cases: " Dean and Chapter of Carlisle, impropriators of valuable tithe: Hesket, 1813, 600*l.*; 1815, 2,000*l.* to purchase land; 1816, 300*l.*; 1817, 300*l.* — Dean of Bangor, impropriator of tithe of (curate paid 32*l.* 4*s.*) Gyffin, 1767, 200*l.*; 1810, 200*l.*; 1816, 1,400*l.* — Bishop of Bangor, impropriator of valuable tithe of (curate paid 30*l.* 12*s.*) Llandegal, 1812, 200*l.*; 1815, 1600*l.*; ———, 300*l.*; ———, 300*l.* Bishop of Litchfield, impropriator of large duties in Merionethshire (curate paid only 27*l.*)—Tallylyn, 1808, 200*l.*; 1816, 1,400*l.*—Penal, 1810, 200*l.*" The noble Lord continued: the two collegiate bodies of Winchester and Windsor, with the three Deaneries of Exeter, Carlisle, and Bangor, had alone received 14,500*l.* from Queen Anne's Bounty! It was not to be endured that the Deans and Chapters, Registers, and all the other rubbish of cathedrals, should take so much, more especially too of what did not belong to, or never was intended for them. For his part, he could only find one language in which to address them; he could only say, " Get you gone, give place to honest men—men who really work, who are really a pattern, as well by their lives as by their precepts—who know their calling, and act up to it." They were ready enough to say in other places that the labourer was worthy of his hire, but they were not so ready to enforce their preaching by the power of example. It was said, that those who served the altar should live by the altar, and so said he. Sincerely did he wish that principle were acted on, but unfortunately it happened that those who really served got badly paid. He wished to see the drones driven from the honeycombs. The working clergy bitterly felt, that there was a shocking inequality in these matters, and in that feeling the public at large most deeply participated. He would take the liberty of reading an extract from a work, entitled, an *Essay on the Causes of Dissension in Wales.* The author stated, in reference to the county of Merionethshire: ‘ The prominent abuse of ‘ this county is the sacrifice of four of its ‘ parishes, which supply 1,100*l.* to the sup‘ port of the see of Lichfield. The living ‘ of Tallylyn had been given by the rapa‘ cious Normans to a nunnery in Essex; at ‘ the Reformation it was taken with much ‘ virtuous indignation from the Norman ‘ Nunnery, and given to an English bishop‘ ric! To restore it to the people from 'whom it was taken, was a plain and obvious measure of equity. As an axiom of 'common justice, is it wise to base the 'religious institution of England on a galling system of absenteeism, and to make 'an exaction from the poorest county of 'North Wales, for the support of the 'hierarchy of the Church.' Now, he considered this to be an expression of very proper feeling; of a feeling much more correct than that which prompted the late Mr. Perceval to declare, "that the poorest Welsh curate over his pot of beer, if he could get it, felt as much pride in the dignities and splendor of the higher ranks of his profession as those who fared sumptuously and enjoyed its most bountiful provisions every day." He knew not whether this was true at the time, but at present it certainly was not. On the contrary, there was the strongest feeling among the working clergy of the hardships they endure from the shameful inequality with which the revenues of the Church were distributed. The noble Lord concluded by moving, "for an account of all Poor Livings in England and Wales which had received any augmentation, and what, from the Governors of Queen Anne's Bounty, or the Parliamentary Grant, and whether the Tithes of the parish belonged to any Dean or Chapter, or were annexed to any See."

The Bishop of *London* said, he conceived the Returns which the noble Lord had moved for could be soon furnished. The Returns had been made up to 1826, by order of the governors themselves, in a form at once of the most specific and the most comprehensive character, and this very fact might be fairly taken as evidence, that there was no desire to maintain any secrecy in their proceedings, and no fear of the most rigid inquiry on the part of the public. It would, therefore, spare time and trouble if these Returns were at once laid upon the Table, and a supplementary Return from 1826 to the present time ordered. He did not think that the noble Lord (King) fully comprehended the purposes of the fund. It should be recollected that the Deans and Chapters held the great tithes as lay impropriators. Before 1831, at which period the right rev. Primate introduced his Bill, they could not legally saddle their estates, except the reserved rents, which were very small. The Bishops, therefore, were not able, before the passing of this Bill, to do what their feelings would prompt, without impoverishing themselves, and improperly touching those resources which were absolutely necessary to maintain them in that respectability, station, and dignity, which was becoming the heads of the established religion. The noble Lord was not warranted in the language he had uttered about Deans and Chapters—calling them the rubbish of cathedrals—language which was not then heard for the first time; for nearly the very same had been used a little time before the Rebellion by Marvel, "who loved the poor clergy," and by Vane. In no one instance had the Governors of Queen Anne's Bounty acted otherwise than most impartially; they had proceeded to augment, with a determination to do that which it was just and right they should do, and they had been led away by no circumstances, nor biassed by any individual. Their system, drawing by lots, proved the purity of their intentions, and the honesty with which they were carried into effect. He would not say more, than that the Governors were quite ready to furnish all information that might be required, a proof that they feared no inquiry, and that they felt strong in the justice of their own cause, and in the integrity and propriety of all their actions.

The Bishop of *Chester*, adverting to a petition which he understood had been preparing, complaining of abuses in the diocess of Chester, stated, that if ever that petition was presented to their Lordships, he should be perfectly ready to show that it was full of the grossest mis-statements and the greatest ignorance of the subject to which it related. The petition contained the sum and substance of a book recently published, and which had been highly eulogized by the noble Baron. That book, however, in common with the petition, was not only full of gross mis-statements, but showed the greatest possible ignorance with respect to the subject of lay impropriations, and, indeed, it might be added, relative to every other matter and thing connected with the Church Establishment.

The Earl of *Harrowby* wished to say a few words—not from the slightest supposition that he could give any additional weight to what had been stated by the right reverend Prelate who had addressed their Lordships with so much ability, but lest, if he were entirely silent, it should be imagined that he did not completely concur in every word which had fallen from that right reverend Prelate. As a member of that Board he could assert, although the proceedings of the Board might in some instances not be agreeable to indi viduals, they had always been guided by general rules, the justice and expediency of which were incontrovertible. This he believed to have always been the case; but at any rate the present Board could not be justly charged with the errors, if any, which might have been committed by former Boards. He thought that the best mode of obtaining the object sought for by the noble Lord, would be to lay on their Lordships' Table the book and index alluded to by the right reverend Prelate, as existing up to 1826, with a continuation up to the present time.

The Bishop of *Exeter* begged to do further justice to the very reverend individual, respecting whom he had endeavoured to set the noble Lord right a few evenings ago. He meant the Dean of Exeter. The noble Lord had stated the other evening, that that eminent Prelate had received numerous fines, and yet had in no case increased the salary of a curate. That statement he (the Bishop of Exeter) had proved to be unfounded. Nevertheless, the noble Lord had again asserted in his own peculiarly strong language, that the very reverend individual in question was one of three Deans who had disgraced themselves and their clergy, and incurred the indignation of the public. And this the noble Lord had thought fit to say of an eminent and excellent person, whom he (the Bishop of Exeter) had proved was entirely innocent of the charges which the noble Lord had preferred against him. Although the noble Lord was not much in the habit of retracting what he said, he had hoped that, after the refutation which the charge had received, the noble Lord, were it only in justice to his own feelings, would have abstained from renewing his accusation against a highly respectable person, who was confined to his bed by the gout, and, of course, subject to the increase of indisposition which such charges, however groundless, made, under circumstances which rendered it impossible for him personally to meet them, were calculated to occasion. The charges in question were destitute of a particle of foundation; and he, for one, would rather be guilty of the grossest abuses which were ever charged (he did not say proved) by the noble Lord, rather than pursue the line of conduct which that noble Lord, night after night, thought proper to adopt.

Lord *King* denied that he had ever intended to misrepresent any one. As to the Motion, what he wished was a separation of information, in order to see what particular dignitaries were the impropriators, and where the augmentations had taken place. A power of augmentation must have existed before the year 1831.

The Bishop of *London* denied the existence of such a power before that year.

Lord *King* was surprised that no application had been previously made for an Act of Parliament to confer the power. He understood that much partiality had been exhibited in some of the augmentations; and he doubted if it had ever been asked whether the impropriators themselves had not the means of paying the curate sufficiently. He must persist in his Motion.

The Bishop of *London* said, that unless the noble Lord consented to include all cases of lay impropriators, and not to confine himself to those impropriations which were in clerical hands, he must object to the Motion, and would take the sense of their Lordships upon it.

Lord *Ellenborough* said, that he had heard the charge brought against the right reverend Bench, and the answer to it, and he thought there could be little difficulty in coming to the conclusion that the charge was unfounded. He conceived, that if their Lordships ordered this return, it would have this effect—that they would appear to consider that there was some reason for suspecting that Queen Anne's Bounty had been administered with partiality. It was not usual with their Lordships to grant Motions under such circumstances. He thought the most desirable course would be for the noble Baron to withdraw his present motion, and bring forward some more general motion which would both obtain the information which he sought, and enable their Lordships to see that the funds had been administered with impartiality.

Lord *King* said, he should not withdraw his Motion. It was for their Lordships to deal with it as they thought fit. He repeated that he did not charge the Governors of Queen Anne's Bounty with any partiality. He thought they would not have applied the funds as they had done if they had known that the Deans and Chapters had the means to reward their servants. If there was any reflection, it rested upon the Deans and Chapters for not providing for their servants.

Lord *Wharncliffe* objected to the partial form of the Motion. He did not know how the noble Baron could bring any charge against clerical impropriators, unless he conceived that, from their clerical character, they were bound to increase the livings of their vicars more than lay impropriators. But his noble friend must first show that Deans and Chapters and lay impropriators had power to alienate any part of their revenues, until the Bill of 1831, brought in by the most reverend Primate. The Motion, in its present shape, appeared unfair; but if the noble Baron wished for information, he ought to have it complete, and the public should know that clerical impropriators had done their duty as well as lay impropriators.

Earl *Grey* said, he regretted the observations with which his noble friend had introduced his Motion. As to the merits of the case, the statement of the right reverend Prelate on the Bench above him absolved him from entering into that question. He rose merely to say, that he considered the nature and form of the question, as it at present stood, open to the objection which had been urged against it—namely, that it would be liable to misinterpretation. He agreed with his noble friend opposite, that there was no distinction as to the obligation of providing for their curates between clerical impropriators—who stood, so far as tithes were concerned, in the situation of lay impropriators—and lay impropriators themselves. He thought the Motion ought to be put in a form in which the objection to it would be obviated. The suggestion of the right reverend Prelate, that the Returns up to the year 1826, which were already made out, should be laid on the Table, and that the Returns from that period to the present should be also made out and laid on the Table, appeared to him the most convenient. If the Motion were pressed in its present form, and if the right reverend Prelate moved his amendment, he should certainly vote for the Amendment; but he trusted that his noble friend would put the Motion in such a form as would take away its invidious appearance, and give the general information which was required.

The Bishop of *London* said, that if the noble Baron persisted in his Motion, he should certainly move his amendment, that lay impropriators should also be included. Perhaps the noble Baron was not aware that the return to which he had referred was drawn out so accurately, and in such detail, that one would be able to see at once which were the clerical and which were the lay impropriators.

The *Lord Chancellor* thought, that the best course would be to move for the Returns already on the Table, and also for the subsequent ones, which his noble friend required. This would give the necessary information without the invidious appearance which attached to the Motion as it now stood. But there might be a difficulty in shaping the present Motion so as to meet that object, and the Amendment of the right reverend Prelate might not effect the purpose. The better way would be for his noble friend to withdraw his Motion for the present, and to take an opportunity, by Thursday or Friday, of looking at the Returns on the Table, and seeing how he could best shape his Motion.

Motion withdrawn.

HOUSE OF COMMONS,

Tuesday, March 12, 1833.

Minutes.] Returns ordered. On the Motion of Mr. O'Connell, Summonses issued, heard, &c., by the Lord Mayor of Dublin, against Masters of Vessels, for having Fires on Board in the *Liffey*.—On the Motion of Mr. Herbert Curteis, the Number of Commissions in the Army purchased, and Amount of Half or Retired Pay cancelled, up to March, 1833.

Bill brought in:—Stafford Indemnity.

Petitions presented. By Mr. Hall, from Newport, for the Abolition of Slavery; for the Repeal of the Septennial Act; also for the Repeal of the House and Window Tax.—By Lord Sandon, from the Corporation of Liverpool, to be heard by Counsel at the Bar, in support of their Privileges.—By Mr. Littleton, from Lapley and five other Places in Staffordshire,—for the Repeal of the Beer Act, and the Better Observance of the Sabbath.

Liverpool Election.] Lord *John Russell* said, that the House having come to a Resolution that it was expedient to appoint a Committee to examine into the subject of the Liverpool Election, he thought it proper that he should now bring before them the manner in which he proposed to carry that Resolution into effect. It was not necessary for him to say anything with respect to this particular case of Liverpool, for it had already been brought before the House, and they had decided that it was a case for an inquiry, although there had been no Committee previously appointed to examine into the validity of the return. A precedent of great importance had thus been set with regard to inquiries into the bribery and corruption practised in elections. It might be useful, under these circumstances, that he should state the view he had taken of this subject, and the course which he should feel called upon to recommend to the adoption of the House at this moment. The House was aware that, by its ancient Constitution, whenever any complaints were made as to elections, they were referred to a Committee, consisting of the whole, or nearly the whole of the Members of the House itself. On this particular subject of bribery, many cases had occurred very soon after the revolution. One memorable instance to which he should just refer, was that of Sir Edward Seymour, who brought a charge against a person of the name of Shepherd, accusing him that, with respect to no less than four boroughs, he had endeavoured to carry their elections by the influence of bribery; and he made it a matter of accusation against Mr. Shepherd, that that person had thus extensively endeavoured to corrupt the purity of the representation. The question was referred to a Committee of Privileges, of which Sir Edward Seymour was appointed the Chairman; and the result was, that the House resolved that Sir Edward had made good that charge, and that Mr. Speaker do publicly give him the thanks of the House. The Speaker did so accordingly, and told him, that great as had been the military and naval successes of his ancestors, there were none greater than that which he had performed when he rescued the Constitution of that House from contamination. After the Act known by the name of the Grenville Act became the law, that kind of inquiry fell into disuse, and the inquiries of the House became limited to the question as to which of two persons was entitled to his seat. The consequence was, that acts of corruption deeply affecting the character and the constitution of the House, the rights of the people, and the honour of the country, were compromised, and were concealed from public view. In a great many cases, it had been customary that, when two persons stood for a borough, and one of the candidates succeeded through bribery, that the other came before the House as a petitioner; but instead of an investigation taking place by a Committee, the person who was seated paid a sum of money to the other, to prevent his bringing the matter forward. That had occurred in many instances. He could mention one, as he had been in some degree connected with the case, it was that of Grampound. A petition was presented in that case, a Committee was appointed to decide upon the return; but, for some reason or other not then apparent, the petition was not proceeded with. The Committee sat but one day: and there being no evidence before them to impeach the right of the sitting Members to retain their seats, the Committee resolved that the sitting Members had been duly returned. It appeared afterwards that a sum of 7,000*l.* had been paid by the sitting Members, in order to suppress all inquiry. The time had at length come when these practices must no longer be tolerated; but the fullest inquiry ought to take place. The method he now proposed for this purpose was, that instead of an inquiry at the Bar of that House, which, as every one knew, was desultory in its nature, and in which it was difficult to distinguish between truth and falsehood, as well as on account of the heat sometimes engendered among the Members by such an investigation, they should adopt another course. He should propose that a Select Committee should be appointed for any cases of the kind into which the House should think proper to inquire. The hon. member for Wiltshire had once proposed that the person who brought forward an inquiry of this kind should name the Committee. He differed from the hon. Member upon that point; but he admitted that that hon. Member should conduct the inquiry, and the noble Lord, the member for Liverpool, might defend the borough. He proposed that the Committee should be named by lot, as they would be upon a petition against the return; but that, instead of their number consisting only of eleven, it should consist of thirteen—and that, instead of thirty-three persons being chosen by the House, twenty-one should be appointed, and only eight of their number struck off. One hon. and learned Gentleman opposite seemed opposed to any of the names being struck off. He himself did not think there was much advantage in the plan; but as those who were interested in the matter in one way or another might think, if there were two or three Members appointed who were known to have expressed strong opinions for or against the borough, that doubts could be raised as to the impartiality of the decision, he thought it would be better to obviate such a consequence. As this Committee would not be assisted by counsel, he should propose, that the hon. member for Wiltshire, and the noble Lord, the member for Liverpool, should each strike off four names from the list, that the Committee should then elect their own Chairman, and proceed to consider the matter referred to their opinion. Their decision when made, must be reported to the House, and that report would, of course, be the foundation of further measures. He thought that an Act of Parliament should be passed in order to regulate for the future, the mode of proceeding in all such cases. It was their duty not to allow these deeds of bribery and corruption to continue and to augment. It was their duty to institute an inquiry, and if they did, then they should take care that that inquiry should be effectual, and that it should become, what it had not hitherto been, a terror to those who were disposed to contaminate the purity of election. The noble Lord moved, that the Order of the Day for the Ballot for the Committee upon the Liverpool Election be read.

Read accordingly.

Lord John Russell then moved, that two Members should be named by the House to conduct the inquiry; that twenty-one Members should be chosen by lot from among the Members present, to answer to their names, with such exemptions as the House should think fit to allow; that the two Members should strike off each four names from the list of twenty-one; and that, the thirteen remaining Members should constitute the Committee on the Liverpool Petition.

Mr. *Wason* was opposed to that part of the plan by which the names of some of the Members were to be struck off. Such a course would operate most injuriously. He would take his own instance. He was known to have exerted himself to discover these acts of bribery at Liverpool, and, of course, if his name should come up among the list of the twenty-one, he should be struck off by the noble Lord opposite, on behalf of the borough. It would be the same with others whose opinions were known. He should, therefore, propose, that they should take the first fifteen names given by the ballot, and that there should be no striking off afterwards. He proposed this as an Amendment to the Resolution of the noble Lord near him.

Mr. *O'Connell* said, that if this Amendment was put to the House he should most certainly second it. They were much indebted to the noble Lord opposite for bringing forward this Motion, and setting an example that would show bribery could not escape unpunished merely because fourteen days had elapsed without a petition being presented against the return. Hitherto there had been no means of reaching unsuccessful bribery, but he hoped that this Motion would have that effect. There had been up to this time no stimulus for bringing such cases before the House; he trusted that the House itself would now make up for that deficiency. He objected to striking off the names of any of the Members upon whom the lot fell, not only for the reason mentioned by the hon. Member opposite, but because, if that did not apply, the names of all those who from professional education might be supposed most capable of eliciting the truth from unwilling or corrupt witnesses might be struck off.

Mr. *Warburton* thought, there was another point in the Motion that required an amendment. It was said in the Motion that the members of the Committee should be appointed from those who were present to answer to their names. He thought that limitation to be objectionable, for it was well known, that whenever an election petition was to be the subject of consultation, there was what was called "a whip" in the House, and Gentlemen went and got others to come down, in order to be there to answer to their names, or else got them to go away, that they might not be there to answer. To obviate the consequences of such a proceeding, he should propose, that whatever was the number agreed on to form the Committee, it should consist of that number of Members whose names were first drawn out of the Box, exempting of course, those who were absent from town, or were already serving upon Election Committees.

Mr. *Baring* said, this was a matter of great importance, for the House were now about to set a precedent for future cases. The House ought, therefore, carefully to consider what they were now about to lay down. The noble Lord opposite had intimated his intention of bringing in a measure of a legislative kind on this subject. He should have been better satisfied if they had waited for the measure of legislation, and then adapted the particular case to it, instead of bringing forward the particular case first, and then adapting a legislative measure to it. This was, in fact, a departure from the principle of the Grenville Act. Why was it not enough to ask, under the principle of that Act, for a Committee to investigate the election, and to declare the election void, for that was the most effectual punishment upon a man who had been guilty of bribery? He should like the noble Lord to tell them what he understood by the precedent which he now proposed to make. Did he intend on every allegation of bribery, a Committee should be appointed, as of right, by that House? If so, what security was to be given by either of the parties to prosecute their petition, or to pay costs, if they should fail in making it out? If there was not to be a Committee, as a matter of right, but the appointment of a Committee was to be in the breast of the House, the utmost partiality would ensue. All complaints against the minority would be listened to, and none would be allowed against the majority. Then again, who was to defend the poor persons who were accused; for, as in this case, there might be no accusation against the man who gave the bribes, the accusation might be against poor voters who had received them. Who was to defend them; for it was not a general accusation against the whole population, but against particular individuals? The noble Lord who sat behind him was not bound to defend these persons. But if the House instituted such Committees as these, the House would be bound to find means to defend them. The accusation was brought chiefly against the freemen of Liverpool. But the majority of these freemen now formed part of the 10*l.* householders, and they could not well be disfranchised, without the noble Lord declaring, that he found in Liverpool he had placed the franchise much too low—an avowal that might probably be just as applicable with respect to several other places.

Mr. *Benett,* referring to what had been said by a previous Member, who had asked out of what fund the charge for the defence of the accused freemen was to be paid, observed, that the whole Corporation Fund of Liverpool would be applicable to the purpose. The accused freemen were the tools of the Corporation, and the Corporation would defend its tools. He was opposed to the plan of striking off the name of any Member chosen by ballot to sit upon the Committee; but, at the same time, he thought that the Committee should be chosen from the Members present in the House at the time of the ballot, and who answered to their names.

Sir *Robert Peel* doubted, whether by law the Corporation of Liverpool could apply a shilling of its funds to the defence of the parties charged with bribery. According to one of the provisions of the Corporation Funds' Act, they could not devote any of the corporate monies to any purpose, even "incident upon an election;" and that the defence would be incident upon an election no man could doubt. To pay for the defence out of the Corporation funds, therefore, would be to violate a positive Act of Parliament: and he strongly advised the Treasurer of Liverpool, or whoever might be charged with the Corporation funds, to beware how he issued monies for any such purpose.

Mr. *Wason* remarked, that a deputation from Liverpool was at this moment in London, and that a similar deputation had been sent up last year, at an expense of no less than 1,200*l.,* which sum was paid by the Treasurer.

Mr. *Hume* did not hesitate in giving it as his decided opinion that an action would lie against the treasurer for that sum, and he advised the burgesses of Liverpool to look about them, and, if necessary, to commence proceedings to recover it back. As to the general question, he thought that the public money would be well expended upon inquiring into every case of bribery and corruption when it was made to appear that there was a good ground of accusation. He concurred with the hon. member for Bridport (Mr. Warburton), that every Member whose name was drawn should be compelled to serve upon the Committee, whether he was or was not present at the time when the ballot took place; he would also, as in the case of Election Committees, make it compulsory upon them to attend. He hoped that this example would give warning to the elective body throughout the kingdom, that the House would itself proceed forthwith to detect and punish bribery, even if none of the parties thought prudent to prosecute. He begged the hon. member for Ipswich (Mr. Wason) to withdraw his Amendment, in order to make way for that of the hon. member for Bridport.

Mr. Wason withdrew his Amendment.

Mr. *Warburton* moved an Amendment, that the ballot should be taken, and the Committee appointed, from Members not having leave of absence, not serving on Election Committees, or not having such other exemption as the House think fit.

Sir *John Wrottesley* thought the question now before the House deserving of great consideration. It appeared to him that the expense of such a proceeding would be much too considerable for the House to incur it without full deliberation. He could assure the hon. member for Middlesex, that all the reductions he could make in the estimates this year would not be sufficient to meet the expenses which must be incurred, if the principle was laid down, that the House should enter into such inquiries. The moment the public were aware that the House of Commons would enter into such inquiries at the public expense, there would be no end to such inquiries. There would scarcely be a defeated candidate in any part of the country, who would not come forward and petition against his opponent's return on the ground of bribery, if it was once laid down as the rule that the House would decide on such petitions, and the petitioners incur no risk or responsibility.

Mr. *Harvey* thought Members were departing very widely from the question really under consideration. As he understood, the House had already decided, that the alleged bribery practised at elections for the borough of Liverpool should be inquired into, and the only question was, the best mode of forming a Committee to carry on the investigation. If he (Mr. Harvey) had been present when the Motion was made, he should certainly have voted against the inquiry, upon the ground that the alleged bribery was not stated to have had any thing to do with the recent elections for Liverpool; and the Reform Bill having passed, he thought they should draw a veil over the proceedings which took place at elections previous to the passing of that measure. However, the House had decided that the inquiry was to take place; and he merely rose to state, that he objected to striking off the names of any number of Members at the discretion of nominees, as proposed, and considered it would be better at once to appoint a certain number of Members to form the Committee. Twenty-one Members might be too many; but why not appoint fifteen Members at once. The principle of striking off Members was a bad one. He also thought, that the attendance of Members on the Committee should be regular, and enforced as strictly, as it was under the Grenville Act.

Mr. *Wynn* regretted, that he was prevented attending when this subject was formerly under the consideration of the House. He believed, that the hon. Member who brought forward the proposition for the appointment of a Committee did so, not with a view of establishing a precedent but merely as a motion, affecting the Corporation of Liverpool. He grounded that motion on the Report of the Select Committee of 1830, in which it was alleged that great bribery prevailed at Liverpool; and upon a petition which had been then recently presented, complaining of the continuation of such practices, both at the elections of Members of Parliament, and at the elections of the municipal officers of the town; in consequence of this, the House was induced to sanction the appointment of a Committee. He was willing to give his support to the Bill of last year because it appeared to him at that period when the constituency of the empire was under revision, that it was desirable to ascertain what class of voters were habitually guilty of bribery and corruption, and whether corruption prevailed in Liverpool to the appalling extent which had been stated. He thought that it was of importance, in fixing the future constituency of the House, to take steps to prevent those who had been in the practice of committing crimes of this nature, from possessing the franchise and exciting others by their example to similar conduct. He urged upon the House the consideration whether they were not fixing the right of election in this place, on the same body or the same class of persons who it appeared, had been in the constant habit of taking bribes? The House, however, was of a different opinion and thought that there was no necessity to deprive these persons of their votes. He certainly did regret that the House did not sanction the view which he took of the matter derived, as that was, from the evidence before the Select Committee; which he considered to supply a sufficient ground to proceed upon. In consequence of the motion of the hon. member for Wiltshire, the House came to a resolution to appoint a Committee to inquire into the practices alleged to prevail in Liverpool. The declaration of the noble Lord to-night, had put the matter in an entirely new light. The noble Lord said, that this proceeding was establishing a precedent which was to serve as a guide to enable parties in future elections, alleging that they had a charge of bribery or corruption to bring forward, to have an inquiry instituted before a Select Committee of the House, without any expense to themselves, instead of being compelled to go, as at present, before the tribunal instituted by the Grenville Act. In this particular case, they had, indeed, the Report of a Select Committee; but it had been stated, that, hereafter, it was to be understood that in any case where parties should bring forward allegations as to the prevalence of bribery at the election for any place, an inquiry of this sort should be granted. For the last fifty years the House in every case of the sort, proceeded in conformity with an Act of Parliament according to which, those "who bring charges affecting the returns of Members, or the mode in which the constituency of any place have exercised their franchise" were bound, under recognizances, to make good their charges. The hon. member for Middlesex said, that there ought to be no check to investigating cases of this sort on the score of expense; but that it was the duty of the House, when an allegation of this nature was made, to investigate it at the public charges. If the House intended so to act, the sooner it abandoned its jurisdiction in such cases the better. It appeared, that by this new device, the parties petitioned against were to be exposed to the greatest trouble, inconvenience, and anxiety; while those who made the complaint (which, of course, would be often groundless) were to incur no responsibility! The noble Lord had stated, that cases had occurred in which on complaint made of the prevalence of bribery in any place, the matter had been referred to the consideration of a Committee of privileges, which Committee had consisted of a limited number of Members. The only case of this kind with which he was acquainted, was that stated by the noble Lord, the case of Sir Edward Seymour, who preferred a solemn complaint against Mr. Shepherd, for having been guilty of bribery, and of having corrupted four boroughs. But in that case the inconvenience attending the proceeding was so great, that the same mode was not again adopted. Some hon. Gentlemen had objected to any Members being struck off by the parties concerned. If their opinion were acted upon, the most objectionable persons—those who had taken an active part on one side or the other in the very case to be investigated—might be constituted judges. Such a plan would place the decision of every controverted election in the hands of the majority of this House, and one party, the Members who belonged to the minority, would always go to the wall. The hon. member for Bridport had stated, that it was notorious, that, when the ballot was about to take place for the choice of a Committee on an election petition, a canvass took place among Members with a view to ensure the attendance of those who were known to be in favour of, or against it, according to the object of the canvassing parties. He knew, personally, of no such practice; and it was against both the letter and the spirit of resolutions and orders of this House. If the hon Member would bring the subject before the House, effectual steps would be taken to prevent the recurrence of so disgraceful a practice. He did not think, that any political feeling or bias had hitherto contaminated the tribunal before which these questions were determined. He would ask whether they could desire any thing to work more equally and fairly than an election petition Committee? He was satisfied, that if the course proposed by the noble Lord were adopted, and were to be considered as a precedent for future cases, no more cases would be brought before Election Committees; but vague charges, and general allegations of bribery would be frequently brought forward. The noble Lord had proposed to adopt an entirely new course, of the inexpediency, injustice, and inconvenience of which he entertained not the slightest doubt. In case of a conviction before that tribunal, a Bill of Pains and Penalties was brought in; and that was the only equitable and just mode of proceeding. He did not apprehend, that any general measure would be sufficient to meet the present case; particularly as 1,400 of the freemen of Liverpool were holders of 10*l.* houses. The circumstance of being in possession of a 10*l.* house did not in the slightest degree purge the sin of corruption in the individual. When the House came to reflect upon the subject, it would be convinced that to adopt the resolution of the noble Lord, would establish a precedent of the most dangerous kind. How could justice be expected from a tribunal of which neither Judge nor witness was sworn, and where no counsel was to be employed? An hon. Member said, that there was no way of punishing unsuccessful candidates. He was mistaken; the course to be taken was plain and simple—the informer upon any alleged delinquency in an unsuccessful candidate, might sue at once for a penalty of 500*l.* It was true that this step was seldom taken; but it was not the less true that it was perfectly open to any person who chose to adopt it. Liverpool was not the only place where very extensive bribery had taken place. He was far from saying that bribery ought not, in every instance if possible, to be punished; but by agreeing to such a resolution as the present, they would be opening a door to individuals, without any responsibility whatever, to object to the return of any sitting Member. By presenting, what he might call, a fishing petition—knowing that, at all events, it would occasion great trouble and anxiety, and perhaps calculating upon the timidity of the Member, any party shrinking from the expense of presenting a regular election petition, might threaten to adopt such a course as that proposed; and thus endeavour to drive the

Member returned into a compromise to purchase the silence of the accuser. He need not point out to the House how injurious such a result as this must be, in every point of view? Yet the noble Lord seemed to think it of very great importance to establish such a notable precedent! He was directly of the contrary opinion; but at all events he should certainly wish to offer to the noble Lord the same suggestion as on a former night namely—that, as by this new mode of dealing with a case of alleged bribery and corruption recourse was not to be had to a bill, it was very desirable to look cautiously at the plan, and reflect upon its probable operations before adopting it. In his opinion, it would only be proper that the subject should be embodied in a different motion, and be made the matter of further consideration and debate on a future day. It should be recollected that, in a case of this kind, it was necessary to consider not only the way in which they were to do justice, but the way in which they were most likely to convince the parties concerned that they were doing justice. He objected to the precedent which would be set by the appointment of the proposed Committee; because he believed that its effect would be, to lead the House into interminable inquiries. If, however, it were determined, that the Committee should sit, he thought it would be absolutely necessary to strike off a certain number of the names which might be drawn by ballot. If this were not the case, the most reckless individuals might be constituted judges on a matter deeply affecting the rights and privileges of the people; and, in the event of three or four Gentlemen being chosen, who were known to be eager either for or against the borough of Liverpool, the consequence must be, that the public would believe the entire Committee to be influenced by their partialities. If they were to have a Committee at least assimilate it as nearly as possible, to those models which had hitherto answered so well in doing justice to all parties.

Lord *John Russell* agreed with the right hon. Gentleman in thinking, that if the names of three or four Gentlemen known to be eager either for or against the borough of Liverpool, were allowed to remain on the Committee, it would create a belief that the Committee generally were influenced by partiality either to one side or the other. He therefore thought it better that there should be a power of striking off a certain number of names; and four, in his opinion, would be sufficient. If the House should be in favour of an arrangement different from that which he proposed, he should not be discontented; but he saw no reason why it should not come this evening to a decision upon the present question. The matter had already been a good deal discussed; and he saw no insuperable objection in their way to induce the House to take further time for consideration. With respect to another point which had been urged, he believed it was not in the power of the House to compel the attendance of the Members of a Committee of that kind. Attendance upon Committees could only be enforced under the Grenville Act; and, consequently, it would not be in their power to render attendance compulsory in an instance of this kind, without another Act of Parliament for that purpose. It certainly would be an advantage if the whole of these inquiries were regulated by Act of Parliament. That had always been his opinion; and last year he brought in a Bill by which the whole of the inquiry might have been managed without difficulty. That Bill passed this House, and was thrown out by the Lords at the end of the Session; but because that Bill, or a Bill of a similar nature, had not yet passed into a law, he did not see why they should refuse to enter into the inquiry. On the contrary, it would be wiser to take advantage of such a case as the present, to try how the machinery would work; that they might thus be better enabled to judge of what the provisions of any enactment upon the subject should be.

Sir *Henry Willoughby:* I trust the noble Lord will persevere in his original plan, and allow four names to be struck out on each side on the ballot. The number four is sufficient to keep out those who may have a strong bias; and yet not enough to strike the brains out of the Committee, as is said. Our object is to obtain a fair and impartial tribunal. I object altogether to the Committee, and I think, if such inquiries are to be pursued, it would be much better to constitute by law a proper tribunal, acting under the sanction of an oath, and when the attendance of those who are both Judges and Jury may be secured. The noble Lord has referred to a precedent at a period subsequent to the Revolution. It is notorious that at that period the proceedings before Committees were most scandalous and unfair; the majority in this House rode over the minority, and election proceedings, which should have been the subject matter of law and of justice, were determined by the spirit of party.

Sir *Robert Peel* could not help expressing his opinion, that the House had been inadvertently betrayed into the consideration of a plan which it would be most imprudent to adopt. The precedent they were about to establish would be most inconvenient and dangerous, inasmuch as it was calculated to throw aside the best tribunal that they had; namely, that appointed by the Grenville Act for the trial of election petitions. He thought, too, should the precedent be established, that, hereafter, individuals would prefer trying cases of bribery at the expense of the public, through the medium of such a Committee as it was now proposed to appoint, to trying them, as they must at present do, at their own expense, before a Committee appointed, in the ordinary and proper manner, under the Grenville Act. During the speeches of the noble Lord and others who had addressed the House on the present occasion, he had been looking to some of the petitions that had been presented in the course of the present Session of Parliament, and in which the recognizances had not been completed. In several of these he found allegations of bribery and corruption much stronger than those imputed in the case of Liverpool. What would the House do with those petitions? The recognizances not having been completed according to the ordinary practice they would be discharged. But, if in the instance of Liverpool a Committee of the kind now proposed were appointed, did it not follow, that they ought also to appoint similar Committees in all the other cases in which bribery and corruption were alleged, but which the parties had failed to come forward to prove, at their own risk and their own expense? He hoped that the general feeling of the House was opposed to the proposition; but if it were not—if it were determined to adopt it—he was sure the noble Lord would admit, that the machinery of the new plan should be made complete, and that they should understand the nature of the tribunal which was about to be constituted, the more particularly as it was one which, if once established, was likely to be called into very frequent action. But let him put it to the noble Lord, whether, in the case of a distant borough, a borough, for instance, in the west of Ireland, it would be just, on vague allegations of bribery, made by parties not willing to put their charge to the test, by going before a regular Election Committee, to put the country to the immense expense of bringing over witnesses for the purpose of investigating the case before a tribunal appointed in the manner proposed. He agreed with the right hon. member for Montgomeryshire in the view which he had taken, and in the opinion which he had expressed, of the very unsatisfactory manner in which it was proposed that that tribunal should be constituted. Acting under the responsibility of no oath, incapable of administering an oath to the witnesses called before it, and unassisted by the ingenuity of counsel to sift out the truth from evidence, which, as was well known, in all cases of disputed elections, was strongly tinged with party feeling—he could not for his own part, conceive how the investigation of such a tribunal could terminate satisfactorily or advantageously. Why the employment of counsel should be refused, it was hard to comprehend; because, as the noble Lord must know, all the obligation of an oath was not worth half so much—would not go half so far—to extort the truth, as the ingenuity of a lawyer in the cross-examination of witnesses. There was another part of the proposition which he did not understand. They were told that two members of the Committee were to be named by the House, and that the remainder were to be chosen by ballot. What were to be the peculiar functions of the two nominees? There could not be two presidents of the Committee. Were they to act purely in the capacity of nominees of the two parties? That would be re-establishing a system which it was one of the particular objects of the Grenville Act to abolish. It was quite necessary, that this should be explained—because, from the passing of the Grenville Act to the present hour, he had never heard one word uttered in favour of the revival of nomination upon these Committees. On the contrary, he always understood that the greatest benefits had resulted from the abolition of that system. But, passing from that point, he would ask how the attendance of Members was to be secured upon this Committee, supposing it to be appointed? While so many regular Election Committees were sitting, how would it be possible to secure the attendance of Members upon a Committee of this kind? It was far from being impossible that the inquiry into the case of Liverpool might last for three months—in that case how could the attendance of

Members be secured? Under these circumstances, he protested against the proposed mode of proceeding. He very much doubted, indeed, whether anything of the kind could be properly adopted, except under the sanction of a special Act of Parliament brought in for that purpose. If the House, however, was so confident in itself—if it imagined that it could so clearly foresee what the "end of this beginning" would be, and was therefore, determined to adopt the noble Lord's suggestion, it would be vain to oppose it. At the same time, he could not help thinking, that by acceding to the proposition, they would establish a dangerous precedent.

Lord *Althorp* said, that, as a large majority of the House had been of opinion that a Committee should be appointed, the only question which the House had then to discuss was, how it should be appointed. There would be this difference between the nominees to this Committee and the nominees to election Committees: the latter were sworn—the former would not be sworn. Their duty would be limited to seeing that no injustice was done towards either party. This Committee would differ in another respect from Election Committees. The Election Committees decided each case, and their decision was final: but this Committee would only have power to report to the House, and the House would be called upon to decide whether it would stand by their report or not. He did not think, that this plan would induce individuals to prosecute election petitions, not at their private expense, but at the expense of the public. Election petitions were in general presented by individuals for the purpose of unseating rival candidates, and of seating themselves; and in all former cases, as, for instance, in that of Grampound, where the inquiry was instituted at the public expense, the sitting Members had never been unseated, although the borough itself had been ultimately disfranchised. He did not think that it was necessary to have counsel heard before the Committee, but he thought that if, on the Report of this Committee, a bill were brought in with penal enactments, then the parties to be punished by them might be heard against such a bill by counsel at the Bar.

Lord *Sandon* said, that having agreed to the appointment of a Committee on a former night, he felt himself precluded from opposing the appointment of it now. He thought that, before it was appointed, the House ought to know something of the proposed course of its proceedings. No rule had been laid down as to the time of its meeting, as to whether the attendance of its Members should be compulsory, and day by day, as to the number requisite to form a *quorum*, and various other similar questions. He thought that a tribunal constituted on this plan would be a tribunal of iniquity. He had been pointed out as one of the nominees, but supposing that he were to assume that character, how peculiar would be his situation. He would have to investigate a case in which his own conduct might be involved, and further, he must defend one part of his constituents against the attacks of another. Under these circumstances, he did not think that he was a proper person to act as nominee on the occasion. Who was to pay the expense of the inquiry? Were the funds of the corporation to be taxed for that purpose? In conclusion he entreated the House before the Committee should be appointed, to chalk out the mode of proceeding which it was to adopt.

The Amendment negatived. Main question agreed to. Two Members Mr. Benett and Mr. Nichol, were appointed by the House, and the remainder of the Committee was appointed by Ballot.

BOROUGH OF STAFFORD.] Mr. *Edward Ellice* moved for leave to bring in a Bill to indemnify certain parties who might be called to give evidence relative to the circumstances of the last Election for the borough of Stafford. It had been ascertained, that an almost universal corruption prevailed in that borough during the late election: and a Committee had been consequently appointed by the House, to make inquiry into the subject, which was, he believed, to have held its first sitting on Thursday next. His object, in making this Motion, was to obtain a disclosure of the facts of the case, and to induce witnesses to come forward, in order that those guilty—if any—might be punished, and that the public might obtain the redress which was due to them in all such gross cases of corruption as that which appeared to have prevailed in this borough. If the Gentlemen returned did not defend their seats, no inquiry could of course be instituted, and no detection of the corrupt practices arrived at; but in this case, he understood the sitting Members were to defend their seats. From the representations made to him (Mr. Ellice), it would appear that at the Stafford election, a scene of such gross corruption and bribery occurred, as would scarcely be believed by the House, accustomed as they were to have cases of gross corruption brought before them. He held tickets in his hand which had been given to the voters as they went to the poll—some of which were sealed with a single seal, and others with a double seal. The single-sealed tickets were presented to those who gave single votes, and the double-sealed tickets were presented to those who gave plumpers.

An *Hon. Member* said, that he thought the present an unfair proceeding on the part of the hon. Member, that such a statement made in presence of the judges who were to decide in that case, would necessarily prejudice the cause of the parties connected with it.

The *Speaker* said, the hon. member for Coventry was quite entitled to make his statement, in order to justify the Motion which he was about to make.

Mr. *Ellice* proceeded: He wished to state the extraordinary circumstances which induced him to move for the Bill. He had been informed by two individuals who had paid the money to the voters, that those tickets were issued to 524 out of the 526 voters who formed the majority in favour of the sitting Member. On one side of the tickets was marked the name of the party who voted and was entitled to the money; and on the other side was marked the sum to be paid to the voter. The sum varied from 4*l.* to 16*l.* When he said that 524 out of 526 of the voters who formed the majority had received such tickets, he thought he had made out a case which called for some inquiry. With respect to the means in which that inquiry should be pursued, in order to bring the case fairly before the House, he thought the present the best. If they were to proceed to examine it in a Committee of the House, without taking means for the protection of those who gave evidence, witnesses who were themselves implicated would be unwilling to come forward, for fear of being exposed to a civil action for bribery. He was aware that the course which he then proposed was unusual in such cases. Indeed he did not know that there was more than one instance of such a course having been adopted. In the case of the impeachment of Lord Melville, a Bill of indemnity was sent up by that House to the House of Lords, for the protection of the witnesses who might give evidence in it. In the Grampound, East Retford, and other cases of the same nature, a different course was pursued. In these cases some circumstances transpired before the Committee which induced the House to suspend its operations till witnesses were examined at the Bar of the House. He was aware that there was formerly a disposition not to investigate such cases too deeply; but as this was the first instance of the kind which came before the Reformed Parliament, the country would see whether the Reformed House was willing to grant the means of making a fair inquiry into such gross cases as this or otherwise. If it was referred to a Committee up-stairs, it must be evident that some of the parties might take an opportunity of slipping out, and that the public might in that manner be deprived of every remedy for so flagrant a grievance. He proposed the present plan as the most likely to bring the guilty persons to punishment, and had no other reason for making the suggestion. His object was, not to annoy or reprove any individual, or to expose those implicated to a civil action. His only object was, to adopt such measures as were most likely to bring the circumstances of the case fully and fairly before the House, and to leave it to the House to deal with it as seemed most advisable, under the circumstances when it was so brought before them. He had no doubt, that he should be able to prove forty or fifty cases; and as it was one of the grossest and most flagrant instances of corruption and bribery which had ever come before the House, he hoped the House would adopt measures to secure the public from such practices, and to redress an evil which was quite intolerable. If any other method appeared to the House more likely to have the desired effect, he had no objection to adopt it; his only object being to procure the enforcement of justice, as due to the House and to the public. He had only further to say, that he wished the Bill of Indemnity to extend as widely as possible, so as to protect all the parties who might give evidence, whoever they might be. He moved for leave to bring in a Bill to indemnify certain persons from the consequences of the evidence they might give before the Committee of Inquiry relative to the corrupt practices at the late election for the borough of Stafford.

The Motion being read from the Chair,

An *Hon. Member* said, that before the House came to any determination on the Motion of the member for Coventry, he thought it might be well for him to take the opportunity of presenting a petition with which he was intrusted on that subject. The House would be able, when they heard the statement of the petitioners, to judge how far it might be proper for them to accede to the Motion of the hon. Member. The petition was from certain electors of the borough of Stafford, who stated, that Messrs. Chetwynd, Gronow, and Blount, were the candidates for the representation of that borough at the last election, and that they (the petitioners) were canvassed by the agents of—

The *Speaker* interrupted the hon. Member. The petition which he was about to present, was in substance an election petition; but the time had gone by when the House could receive such petitions. As, therefore, it could not be received as an election petition, the only way in which the House could at all receive it, was, in connexion with a Committee already appointed to take the matter into consideration, and to that Committee the House could refer it. He therefore put it to the hon. Member, whether, if he persisted in presenting that petition, he would not be calling on the House to do indirectly what they could not do according to the general rules laid down in such cases?

Mr. *Wynn* said, that if they were to enter into the discussion of an election, the merits of which were to come before them (otherwise, it was impossible but it must prejudice the case of the parties concerned), he could not but feel that the petition ought not to be received; at the same time, when an hon. Member moved for a Bill of Indemnity for witnesses who might be examined, and stated the grounds on which he made the Motion, he (Mr. Wynn) saw no reason why individuals might not be allowed to state that they were ready to bring forward such evidence as would render the Motion unnecessary. He did not see that in this case a Bill of Indemnity was necessary. He was decidedly favourable to the principle of the Bill; but he saw no reason why it should be limited to one borough; he saw no reason why the same principle which made such a bill proper as regarded Stafford, should not make it likewise proper as regarded Liverpool. He thought, that if a case of intimidation against any of the witnesses examined before the Committee were made out, the special report made by the Committee would be a sufficient ground for the House to suspend the sittings of the Committee. He wished for a general measure.

Mr. *O'Connell:* If we cannot have a general law, let us have a particular law. Here we are asked to give leave for the introduction of a Bill of Indemnity to protect the witnesses who are to give evidence in a case, which, if proved, the borough should, and certainly will, be disfranchised; for it is idle to think that if such a case of gross and notorious corruption and bribery be made out, as that related by the hon. member for Coventry, that the borough of Stafford can remain in schedule C, or any other schedule but schedule A. The hon. Member says, that if the evidence is of such a nature as cannot safely be brought before the Committee, the House can suspend the operations of the Committee till an Act of Indemnity is passed. But, is it not better to obviate every difficulty by passing the Act just now? To be sure the member for Stafford may, perhaps, have some good ground for objecting to the passing of such an Act, because it may prejudice his case, but I understand that he means to offer no objection to the Bill. If such cases as these are passed by, what is the use of the Reform Bill? You take away by it the direct nomination by individuals, but you leave the electors exposed to a more dangerous and equally certain corruption of the temptation offered to them by wealth—and the only difference between the reformed and the unreformed constituency, will be, that more crimes will be now necessary to procure the same returns. It is, therefore, the duty of the House to take the very first opportunity of punishing bribery, in order to prevent such practices in future. This is called the Reformed Parliament; but it is not reformed, unless it takes measures to prevent Members from obtaining seats in it by corrupting the electors. We ought to have no cobwebs in the way; let us sweep them all before us. The hon. Member has stated, that 524 out of 526 of the electors were bribed—surely that is a case for disfranchisement. So, there were two in the majority who were not bribed! What an exemplary pair they must have been! Their names should be written in letters of gold. It should be handed down to posterity that there were two honest men in Stafford. Such a scene as this I never heard of. It ought to break down every barrier, and will justify the House in at once extinguishing the borough of Stafford, if that borough is really as guilty as it is represented.

Mr. *Baring* said, that if reports were true, the corruptions of the borough of

Stafford were the greatest which ever came under the consideration of the House. They appeared so gross and so notorious, that it appeared to him impossible for the House not to institute an inquiry into them, for the purpose of punishing the guilty. He did not, however, exactly see the object of the hon. member for Coventry; if he understood it, it was intended to indemnify the very persons who were guilty of the bribery.

Mr. *Ellice* said, that the information which he received was from two gentlemen, neither of whom were Members of that House.

Mr. *Baring:* But those gentlemen paid the money with which the electors were bribed to those electors. He certainly agreed with the hon. Member, that there were difficulties in the case which might prevent proof of bribery being brought home to those who were guilty, without such a Bill as that proposed; it might then be proper to adopt it; but to him it appeared that the Bill of Indemnity proposed by the hon. Member, was to cover the malpractices of the guilty, and to screen them from the effect of their guilt. He (Mr. Baring) thought it was improbable, if corruption and bribery to such an enormous extent had been practised, that it would be at all difficult to prove it.

Mr. *Ellice* said, that if the House thought there was any better way of procuring the evidence necessary, he would be willing to adopt it. His only object in making the Motion at all was to expose the most notorious and extensive system of corruption which had ever come within his knowledge. The corruption of the borough of Stafford had long been notorious. Even before Mr. Sheridan represented it, the price of a vote was *5l.* In endeavouring to persuade them to adopt his opinion on the subject of Parliamentary Reform, that gentleman used to give them as an argument inits favour, that as they got *5l.* then —

Mr. *Wynn* rose to order. He begged to ask, whether it was fair to prejudice the Jury, who were to try the merits of the case, by such statements.

The *Speaker* thought that the hon. Member was quite in order.

Mr. *Ellice:* No one could be influenced by a historical account of the elections of Stafford. Mr. Sheridan, to induce the electors of Stafford to become Reformers, used to say, "At present you get *5l.* for a vote; but if you obtain Parliamentary Reform, you will probably get *10l.*"

An *Hon. Member* said, that if this Bill of Indemnity had any effect at all, it would be to protect the real delinquents. He could say, that the present members for Stafford had not been guilty of bribery, either directly or indirectly.

Question agreed to, and the consideration of the Stafford Election Committee postponed to the 16th of April.

DRAMATIC AUTHORS.] Mr. *Edward Lytton Bulwer*, in moving for leave to bring in a Bill for the better protection of Dramatic Authors, said, that he did not feel it necessary to occupy the time of the House with many observations, as he was sure, that the necessity of some legislative measure on the subject was universally admitted. At this moment dramatic authors possessed no control over the use of their property, such as was very properly given to other labourers in the field of literature by the laws of copyright. A play, when published, might be acted upon any stage without the consent of the author, and without his deriving a single shilling from the profits of the performance. It might not only be acted at one theatre, but at 100 theatres, and though, perhaps, it filled the pockets of the managers, not a single penny might accrue from its performance, however successful, or however repeated, to the unfortunate author. It was to remedy such a state of things that he proposed to bring in the present Bill, and he begged to observe, that in the Committee which sat upon this subject last Session, there was not a single dissentient voice as to the injustice of the present system, and as to the advantages which literature would derive from a change in it such as that which he was now about to propose. By the Bill which he was going to bring in, it was proposed to allow to dramatic authors the same copyright that was, by the existing law, given to all other authors—namely, for twenty-eight years, or for the life of the author. It also enacted, that no play should be performed at any theatre without the author's consent, and that if played without his consent he should have the right of applying to a court of law for damages against the proprietor of the theatre where it was so played; the maximum of the damages to be given to him to be *50l.*, and the minimum *10l.*, for every night the said play was so performed. The evil of the existing system was pretty abundantly evinced by the striking decline of the modern drama, and he was quite sure that the result of the proposed change in that system would be, that greater talents and a higher order of genius would be enlisted in the service of the stage, and that the dramatic literature of the country would once more regain that exalted position from which it had been degraded by the want of the necessary encouragement and protection. It was but justice to his hon. friend opposite (the member for Dungarvon) to say, that he had been foremost in his efforts to procure such protection for dramatic authors. In a late Session, his hon. friend was the first to propose a measure similar to the present, and he was therefore sure that as his right hon. friend had been the earliest and ablest advocate of the interests of dramatic authors, he might count upon his supporting the present Bill. The hon. Member concluded by moving for leave to bring in the Bill.

Mr. *Lamb* said, that as far as he was acquainted with the provisions of the Bill of his hon. friend, they had his approval, and he did hope, that the consequence of passing such a measure would be to elevate dramatic literature from that depressed state in which, he was sorry to say, it, as well as all other interests connected with the drama, had been for many years. It struck him that 10*l.* would be too large a minimum of damages to be given in some cases. It would be too large, for instance, in the case of a manager of a company of strolling players, but, at the same time, it would be scarcely worth an author's while to proceed against a man of straw, such as a manager of strolling players usually was. He trusted there would be no difficulty in passing such a measure as this through Parliament.

Leave given.

DRAMATIC PERFORMANCES.] Mr. *Edward Lytton Bulwer* said, he now rose to move for leave to bring in a Bill "for Licensing Theatres, and for the better regulation of Dramatic Performances in the Cities of London and Westminster, and within twenty miles thereof," and in doing so he should feel it necessary to trouble the House with but a very few observations. The Bill which he was now about to introduce was founded upon the recommendation of the Committee of last Session upon dramatic performances, and he should read to the House the paragraph from the Report in which that recommendation was contained:—'In respect to the 'licensing of theatres, the Committee are 'of opinion that the laws would be rendered more clear and effectual by confining the sole power and authority to 'license theatres throughout the metropolis (as well as in places of royal residence) to the Lord Chamberlain; and 'that his, the sole jurisdiction, should be 'extended twenty miles round London; 'that being the point at which Magistrates 'now have the power of licensing theatres for the legitimate drama. And as 'the Committee believe, that the interests 'of the drama will be considerably advanced by the natural consequences of 'fair competition in its representation, 'they recommend that the Lord Chamberlain should continue a license to all the 'theatres licensed at present, whether by 'himself or by the Magistrates. The 'Committee are also of opinion, partly 'from the difficulty of defining, by clear 'and legal distinctions, "the legitimate 'drama," and principally from the propriety of giving a full opening as well to 'the higher as to the more humble orders 'of dramatic talent, that the proprietors 'and managers of the said theatres should 'be allowed to exhibit, at their option, the 'legitimate drama, and all such plays as 'have received, or shall receive, the sanction of the censor.' This Bill was, as he had just said, chiefly founded upon that paragraph of the Report, in the first instance, as regarded the throwing open the performance of the regular drama, and, in the second place, in confining the authority of licensing solely to the Lord Chamberlain, within the district therein specified. The three objects which the Bill had in view were—first, to afford to the public at large the full advantage derivable from regular dramatic representations; second, to prevent the inhabitants of any district from being subjected, against their will, to the annoyance of any theatrical speculations; and, third, to guard against the exercise of any kind of partiality on the part of the licensing authority. With such objects in view, the Bill proposed to enact, in the first instance, that if any person should be desirous of obtaining a licence for the exhibition of dramatic performances at any theatre within the limits of the Act, he must post a notice of such intention on the outer door of such theatre three calendar months before the annual licensing day, at which such application was intended to be made—that copies of such notice must be, at the same time, served upon the churchwardens and overseers of the poor of the parish, in which the theatre was situate, and that he must insert a copy of the said notice once a-week during the said three months in two of the daily morning newspapers. The same provisions were made applicable to the case where the theatre was not built or finished at the period when the application was made; and, it was further provided, that in the latter case the person so applying should deposit in the Lord Chamberlain's office descriptive plans and particulars of the mode in which it was intended to build, or finish the building, exhibiting the extent, elevation, and mode of structure of the said theatre, and the number of persons that it would be calculated to contain; that such plans should lie in the Lord Chamberlain's office, open to the public inspection, from the time of their being there deposited until the annual licensing day; and that in case a majority of the persons interested in the property contiguous to such theatre, or the proposed site thereof, should, in a petition, to be presented to the Lord Chamberlain two months before the licensing day, signify their dissent to the licensing of it, such licence should not be granted, but that if no such petition should be presented, the Lord Chamberlain should be obliged to grant the licence as prayed for. It was further provided, that nothing contained in the Act should be construed to affect the right of any person to object to the licensing of any theatre by reason of anything which, by the common law, would at the passing of the Act be considered a sufficient objection to the licensing of such theatre. The Bill also provided that where a licence was sought for a theatre, a certificate of the stability and safety of such theatre, signed by three architects or surveyors, should be produced by the persons so applying to the Lord Chamberlain; and it also gave to the Lord Chamberlain summary power, in cases where plays were performed at places not duly licensed, or in cases where the proprietors of theatres exceeded the limits of their licences. It would be observed, that no discretion as to granting a licence was vested in the Lord Chamberlain where the provisions of the Act had been fully complied with, and where no memorial had been presented within the time specified against the granting of such licence. As to the office of censor, he for his part must say, that he thought such an office was perfectly unnecessary. Undoubtedly the evidence which had been given by the present censor before the Committee, had failed to convince him either as to the importance of the functions attached to that office, or as to the discretion with which they had been exercised, but as it might prove fatal to the Bill if it proposed to abolish that office, it proposed to leave the authority of the censor just as it was at present. The Bill provided the following graduated scale of fees as payable to the Lord Chamberlain, or his deputy, for the licensing of theatres and dramatic productions:—

	£	s.	d.
For every original licence granted to a theatre	5	5	0
For every renewal of a licence to a theatre . . .	2	2	0
For examining every play or entertainment of the stage of five or more acts . . .	2	2	0
For examining every play or entertainment of the stage of three or four acts . . .	1	11	6
For examining every play or entertainment of the stage of two acts	1	1	0
For examining every play or entertainment of the stage of one act	0	10	6
For examining every address, song, or other composition, not included in either of the above descriptions . . .	0	5	0

The hon. Member concluded by moving for leave to bring in the Bill.

Mr. *Lamb* did not mean to offer on this occasion, any opposition to the Bill proposed by his hon. friend; on the contrary, he thought that the time was come when some such measure should be passed with regard to dramatic performances. It was extremely doubtful whether any good would arise from the interference of the Legislature in controlling the public in matters of taste. There certainly was an idea in the metropolis, and in other towns where theatres existed, that the neighbourhood of theatres caused the introduction of a loose population, and at all events, their neighbourhood was often objected to by persons resident in the vicinity. It was therefore but right they should have the power of objecting to their introduction. He feared that there would be some difficulty as to the summary power proposed to be given to the Lord Chamberlain. In consequence of the repeal, as proposed by this Act, of the 10th of George 2nd, by which players were classed with "rogues and vagabonds," the summary power of search, on the part of the police, would be taken away, and difficulties certainly would, in some cases, lie in the exercise of the summary power proposed to be given to the Lord Chamberlain. With regard to the censorship, he thought it was productive of utility, and that it could not be dispensed with. He trusted that his hon. friend would not hurry the Bill through the House, but would afford time to the persons in this metropolis who were interested in its provisions, to make their representations to the House either for or against the measure. He hoped that by the passing of such a measure, the law on this subject would be at length placed upon an intelligible foundation, for it had been of late years so complicated, and so variously interpreted, that there was no understanding how any theatre stood.

Mr. *Hume* said, he was sorry to hear the right hon. Gentleman say, that he conceived the censorship to be necessary, for he had hoped that he would have taken a different view of the subject. If he were asked why it was, that theatrical property had become depressed, he could find a ready answer in what he believed to be the fact, that it was because of the Lord Chamberlain and of the censorship, which had trammelled the drama until it became as it now was. Every position which the right hon. Gentleman had taken he conceived to be false. In fact, fees were demanded here and fees there, according to the evidence taken before the Committee of last Session, and thus an eternal interference was kept up with the exhibition of the regular drama. He was of opinion that there should be a free trade in that as well as in any thing else, in order that there might be a fair manifestation of the talent of the country in that department. He hoped, before the Bill should pass into a law, that sufficient attention would be paid to it, in order to do away with those mischievous restrictions and impediments to the drama.

Mr. *Warburton* said, that as the object of the present system was the affording irrational amusements at the dearest rate, so the object of the present Bill would be to afford to the public rational amusements at the cheapest rate. The object of the great theatres seemed to be to administer rather to the physical than to the mental gratification of the people. He was of opinion, that they should throw open the minor theatres, and allow them to perform the legitimate drama. Indeed, he thought that such ought to be the principal object of the Bill. As to consulting existing interests, why there was none remaining. He held himself a 500*l.* renter's share of Covent-garden theatre, which entitled him to 25*l.* per annum—when he could get it. He had not, however, obtained a farthing for many years, and he was at the present time entitled to seize the dresses, &c. on the premises. If, therefore, there was any allegation that existing monopolies should be protected, he should say that there were none remaining. The present monopolies were mortgaged to treble their value, and of course were worth nothing. For his own part he was willing to give up his 500*l.* share, and all his arrears, to enable the minor theatres to perform the legitimate drama at a cheap rate.

Mr. *Ewart* regretted that the Bill was confined to the metropolis. He had himself presented a petition from Liverpool, stating that, in that town and its neighbourhood, there was a population of 100,000 persons unprovided with theatrical amusement. He would move a clause to extend the Bill to the country, if the hon. Gentleman would not do so himself.

Mr. *Lamb*, in explanation, said, he had not raised an obstacle on account of vested interests, but merely asked for time for them to make a case out, if they could. He doubted the propriety of extending the Bill to the provinces.

Mr. *Baring* thought the office of censor a most useful one. Hon. Gentlemen had only to judge for themselves of the effect of an unlicensed system in Paris to arrive at the same conclusion. The productions exhibited in some of the theatres must shock every moral mind. He was not favourable to a vexatious censorship, but one which would enforce a respect for sound morals and public decency.

Mr. *O'Dwyer*, having visited Paris, said, the result of his travels was, that he differed from the hon. member for Essex.

Mr. *Edward Lytton Bulwer* said, that there was no need of a censorship, as public morals had actually risen higher than the licence, which the censor could not lower. This was evident from the fact, that many of the old plays, which the censor could not prohibit from being represented, were not and could not be played from their indelicacy. The absence of such exhibitions here as those referred to by the hon. member for Essex in Paris was not imputable to our censorship, but a higher standard of public morality.

Leave given.

Burgh Reform (Scotland).] The *Lord Advocate* rose to submit a Motion to the House on a very important subject—that of Reforming the Municipal Constitution of the Royal Burghs of Scotland. It was a subject of which the discussion was likely to be monopolized by the Scotch Members, and he, therefore, would not then enter into any details of the measure. He believed, that it would be more convenient to the House, and more conducive to a saving of time, if the discussion were taken at a future period. He proposed, therefore, to read the Bill a first and a second time *pro formâ*, and after the second reading, he would move, that it be referred to a Select Committee. He would propose that this Committee should consist of all the Members for the Scotch burghs, about twenty-three, which would make a very proper Committee as to numbers. By so doing the House would not come to a discussion of the measure till it was well acquainted with it. He would then only move for leave to bring in a Bill to alter and amend the laws with respect to electing the Magistrates and Town Councils of Royal Burghs in Scotland.

Captain *William Gordon* expressed his regret that the measure was not in the first instance referred to a Committee of Inquiry, as had been done with respect to the English and Irish Corporations. He hoped, too, that the learned Lord would not confine the Select Committee to the Members for Scotch burghs.

The *Lord Advocate* explained, that a considerable time would elapse before the Committee could come to any conclusion, that the Bill would be amply discussed, and that the Committee would readily listen to any suggestions. As to placing other Members on the Committee, it would be open to hon. Members to name whom they pleased when the Committee was appointed.

Mr. *Gillon* wished to ask, when the Committee would begin its labours? He hoped nothing would be done till the Bill had been printed and sent to Scotland, so that the opinion of those most interested in it might be obtained.

Mr. *Kennedy* thought the Committee might begin its labours immediately. An extension of the time sufficient to make the Bill known, would, however, be given, and the whole discussion, both on its principle and on its details, might be gone into after the Committee had completed its labours.

Mr. Oswald gave his support to the Motion.

Captain *Dunlop* asked, whether the learned Lord meant to take any steps to improve the constitution of those boroughs which were not royal burghs? We understood the hon. Member to call them barony burghs.

The *Lord Advocate* believed, that his Majesty's Government had it in contemplation to propose a measure for them. He could certainly say, for himself, that he had a Bill in preparation to amend the constitution of the boroughs alluded to by the hon. Member.

Mr. *Andrew Johnston* differed from the hon. member for Aberdeenshire as to requiring a Committee of Inquiry, because the subject had already been much inquired into. Burgh Reform had agitated Scotland much more than Parliamentary Reform, and now that they had obtained the latter he hoped that the former would be also soon obtained. He recommended a sweeping and effectual Reform of the boroughs, similar to that which had been made of the Parliament, and not a bit-by-bit Reform.

Leave given.

Business of the House.] Mr. *Robinson* wished to ask the noble Lord, what arrangement he proposed to make, as to the presentation of petitions, on the next day.

Lord *Althorp* said, that it had been agreed, that petitions relative to the Irish Coercive Bill should be presented, and he hoped that hon. Members would adhere to that arrangement which had been made with a view of hearing those petitions which related to the Bill before it passed.

Mr. *Robinson* said, he should take the sense of the House on that subject, when the time came.

Mr. *O'Connell* hoped the hon. Member would not. It would be of no use to receive the petitions of the people against the Bill after it was passed.

Mr. *Henry Grattan* hoped the hon. Member would waive his intention.

Mr. *Hume* thought the hon. member for Worcester should raise the question then, and not wait till the next day.

Lord *Althorp* said, it was impossible to raise the question then. The question could only be raised on the presentation of any individual petition; and it might be raised at any time when it was proposed to lay a petition on the Table. It was in the power of any hon. Member to present a petition; but it was in the power of the House to decide that it should not be received. The House, however, had no right to interfere and prevent Members from presenting petitions. There certainly was a general understanding, that the petitions relating to the Irish Bill should alone be presented; but the House could not prevent other petitions being brought before it, if hon. Gentlemen offered them. He had given notice of a motion, to call the attention of the House to the propriety, in the present state of business, of always taking the Orders of the Day before Notices, during the progress of the Irish Bill. He did not intend to take the sense of the House on that Motion, but he only wished that an understanding should be come to on the subject. At the time of the debates on the Reform Bill, he had made a similar proposition, and the Gentlemen opposed to him had concurred in the suggestion; and the consequence was, that other business was not allowed to interfere with it. He should, therefore, on this occasion, only make such a suggestion; and he hoped that Gentlemen would not again press their notices, and allow the Orders of the Day to take precedence, so as not to interfere with the progress of the Irish Bill.

Mr. *Warburton* wished to ask the hon. member for Worcester if it were his intention to interfere with the arrangement for presenting petitions against the Bill? If the hon. Member meant to raise the question, he had better do it then. He thought a resolution might be moved, that no other petitions should be presented to-morrow than petitions relative to the Irish Bill. If there were no impropriety in that mode of settling the question, he should have no objection to move such a resolution.

Mr. *Robinson* was sure the noble Lord would do him the justice to say, that he had never shown himself disposed pertinaciously to resist the wishes of the Government; but he must declare that the present state of the business of the House was now become a grievance of very great importance. The present mode of proceeding was neither more nor less than an interference with the rights and privileges of the House. If he were not allowed to present petitions, which he thought of importance, and if he were not allowed to submit motions of which he had regularly given notice, what was that but infringing on the rights and privileges of the Members? He admitted, that there had been an understanding across the Table between the noble Lord and the hon. and learned member for Dublin; and he knew that the House generally acceded to those understandings to which the parties most interested came. He did not wish to interfere with such understandings; but he wished to ask would the noble Lord assure him any day on which he might bring forward his Motion? He had a notice fixed for the 26th, on a subject which he considered of great importance—when was he to be assured of an opportunity of bringing that forward? The Notice-book up to the 20th of May, was filled up with Motions, four or five for each day, and motions of a description that each of them would, as things were now discussed, take four or five days to discuss it. If the country was not to be altogether deceived—and if the House was to have time for deliberation—something must be done to obviate the pressure of business. Such a state of things was inconsistent with the dignity, character, and usefulness of the House. He knew, unsupported as he was by any party, that his attempts might be unavailing, but he could not give up his rights and privileges as a Member of that House, and could not forego his right to introduce the Motion of which he had given notice. He wished to know whether all other business was to be put an end to till the Irish Bill was passed?

Lord *Althorp* had always supposed that all the decisions of the House would be guided by good sense and discretion. He had, however, been apprehensive that the eagerness of Gentlemen to bring forward Motions would lead the House to attempt to do more business than it possibly could do in one Session. That apprehension had been realised. On looking at the Notice-book, he found so many notices of motions on very important subjects, that every man acquainted with business must know it would be impossible to get through them in one Session.

Mr. *Hume* asked, if all the business of the country was to give place to the Irish Bill? On two grounds, the Bill, he thought, should be abandoned—first, because it entirely interrupted the business of the House; secondly, because, by every account from Ireland, it would be quite unnecessary to put into operation. But as to the precise course to be taken on the question before the House, he would not come to any understanding.

Lord *Althorp* thought it strange that the accommodation granted to him by the minority in the last Parliament should be refused to him in this.

Mr. *Harvey*, though highly disapproving of the coercive Bill, yet thought that the sooner it was disposed of the better. After the decided opinions expressed by the House on its necessity, it was hardly to be expected that it would be dropped in its present stage.

Mr. *Baring* considered the course pursued by the noble Lord to be very unfair to the people of England, whose interests were made to appear very subordinate to the interests of Ireland, and who were left in the dark as to the intentions of Ministers in reference to the great public questions which affected their dearest interests. The admitted urgency of the Irish Coercion Bill did not justify the noble Lord's most blameable silence respecting the Established Church, and the Bank Charter, and the East-Indian and West-Indian interests, and the tithes, and the other important questions, which must, however late, come under their consideration. What was to prevent the noble Lord devoting one evening to express the intentions of Ministers in relation to those great questions? There need be, then, no discussion; all that was wanting, was to know what measures Ministers proposed respecting these important interests.

Lord *Althorp* hoped to be able to state the intentions of Ministers before the recess. It was plain, that a short expression or outline of their intended measures would only lead to misconception and misrepresentation. If he adopted the course suggested by the hon. Member, the propositions of Ministers would be attacked piecemeal throughout the country.

Mr. *Baring* said, surely it was not meant that the public were not to discuss any or every measure which Ministers would bring forward.

Mr. *Ruthven* said, that the Irish coercion measure was introduced to draw public attention from the violation of the pledges made by Government. They were thus enabled to shift aside the questions of economy, reduction of taxation, &c., and deny the country the relief which it had a right to claim at their hands.

HOUSE OF LORDS,
Wednesday, March 13, 1833.

MINUTES.] Petitions presented. By the Bishop of BATH AND WELLS, from Blackheath, and from Stage Coach and Waggon Proprietors of Bath; and by Lord SUFFIELD, from several Congregations of Dissenters,—for the better Observance of the Sabbath.—By the LORD CHANCELLOR, from Fowey; by Lord KING, from Titchmarsh, and by Earl FITZWILLIAM, from several Places in Northamptonshire,—for the Abolition of Slavery,—By the Earl of RODEN, from Anstruther, for the Abolition of Church Patronage (Scotland.)—By the Earl of SEFTON, from Liverpool, for the Repeal of the Disabilities affecting the Jews.

HOUSE OF COMMONS,
Wednesday, March 13, 1833.

MINUTES.] Papers ordered. On the Motion of Sir HARRY VERNEY, Number of Persons confined within the year ending Michaelmas 1832, for breaches of the Revenue Laws.

Bills. Read a second time:—Fines and Recoveries; Dower; Limitation of Actions; Curtesy of England, &c.

New Members. Lord MILTON took his Seat for the Northern Division of Northamptonshire, in the room of his Father Lord MILTON, called up to the House of Peers.

Petitions presented. By Mr. LUKE WHITE, from Ardagh, and several other Places in the County of Longford; by Mr. HALL, from Monmouth; by Major KEPPEL, from Diss, Norfolk; by Mr. D. O'CONNOR, from several Parishes in Roscommon; by Mr. O'FERRALL, from Arklow; by Mr. A. OSWALD, from the Bath Political Union; by Mr. FERGUS O'CONNOR, from two Parishes in Cork; and by Lord MOLYNEUX, from Todmorden,—against the Suppression of Disturbances (Ireland) Bill.—By Mr. BRIGSTOCK, from a Place in Somersetshire; and by Mr. INGHAM, from South Shields,—in favour of the Bill.—By Mr. ROBINSON, from Portsmouth, against the Corporation of that Town.—By Mr. CHARLES GRANT, from Kilmorack and Kirkhill,—for the Better Observance of the Sabbath.

SUPPRESSION OF DISTURBANCES (IRELAND)—PETITIONS.] Mr. *Grote* presented a Petition from the Borough of Marylebone against the Irish Coercive Bill. The petition was signed by 2,951 persons. The petitioners stated, that they had heard with horror and alarm, that a bill had passed the other House of Parliament to suspend the Constitution of Ireland, and to establish in that unhappy country Martial-law. The petitioners stated their belief that the only means of putting an end to the disturbances that were taking place in Ireland was, to give full justice to the people of that country, thereby enabling them to enjoy the fruits of their own labour, and also by destroying the iniquitous oligarchical faction that existed in that country. The petitioners concluded by praying that the House would not adopt the measures then under consideration in that House, but would resort to the introduction of measures calculated to insure the affections of the Irish people. He gave his cordial support to the prayer of the petition, which, he hoped, might be favourably heard.

Mr. *Robinson* would take that opportunity of stating, that in consequence of what had on a former evening been said by the noble Lord, the Chancellor of the Exchequer, he was unwilling to oppose any suggestions which had been made to promote public business, and he should withdraw his opposition to the Irish petitions taking precedence this day; but, in doing so, he could not but express a hope, that in consequence of the understanding which had taken place, hon. Members would be induced not to enter into long and desultory discussions on the presentation of such petitions. He trusted that such a course would not be adopted this day, and that it would be the last on which hon. Members would feel it necessary to ask the House for the favour of being alone heard. If, however, hon. Members were to enter into long discussions on the presentation of these petitions, it would be utterly useless to attempt to proceed with the business of the House. The hon. member for Oldham had taken no less than an hour in the presentation of petitions the other day.

Mr. *Cobbett*, as he had been personally alluded to, begged to observe, that he had never been a party to an understanding of the description referred to by the hon. Member. The proposition that he had put forward to the House was, that the petitions should be read aloud, and that the whole of them should be printed at full length, and that, upon such course being adopted, he would abstain from saying a word on any petition he had to present. With respect to the time which he had occupied in the presentation of petitions the other day, the hon. Member had made a little mistake, as he did not entertain the House more than thirty-five minutes. He hailed with great pleasure the presentation of a petition of this sort from such a constituency as that of the borough of Marylebone, and begged to give the petition his most hearty support.

Mr. *Brocklehurst* presented a similar Petition from Macclesfield, signed by 2,400 people. He must, however, take the opportunity of saying that, though an ardent supporter of constitutional liberty, still he could not support the prayer of this petition, after hearing the case made out by the Ministers, to arm the Government with the power, great though it was, which was proposed to be given them by that Bill. The petitioners stated, that they had heard with delight of the measures of conciliation which were stated to be in preparation; but they were of opinion that, even if they were all passed, they would not relieve that country from a tithe of its burthens, and grievances, and prayed the House not to pass that Bill before trying the effect which measures of conciliation would have.

Mr. *John Fielden* said, as the hon. Member could not support the prayer of the petition which he had presented, he (Mr. Fielden) would take that office upon himself. He begged to say, that he most cordially agreed with all the statements contained in it. When it was admitted by the hon. Member, as it had been, that the weavers of Macclesfield were in a state of great distress, they could not look with a favourable eye on their Representatives who supported a measure which must enhance the expenses of the country, and at least, prevent those burthens being diminished under which they laboured.

Mr. *Finn* presented three Petitions from parishes in Kilkenny, to the same effect. Upon only one of them would he detain the House. He considered it to be of very great importance, as it contradicted one of the facts which had been so often relied on to justify this coercive measure. The petitioners denied that the Jurors upon the Carrickshaugh trials, who had voted for conviction, had been obliged to fly the country, and stated, that five of them were still living in their own houses unmolested — that one had removed, on account of pecuniary embarrassments, and one for causes not known. He took that opportunity of saying, that he was happy to observe, that upon this question, the people of England differed from their Representatives, for they had not sent up any petitions but what were against the Bill. Their conduct, at least, had been such as to draw closer the ties that united the two kingdoms.

Mr. *Fitzgerald* presented several Petitions from Louth and King's County, against the measure of coercion for Ireland now before the House. The petitions contained a large number of signatures. They clearly proved, that as regarded the county of Louth, the measure brought forward by his Majesty's Ministers was perfectly unnecessary. The right hon. Secretary of State for Ireland had given the House a statement upon anonymous authority of the intimidation of a Juror in the county of Louth. Now, he could state, from his own knowledge of that county, and from experience gathered by constant attendance at the Assizes, that no such case of intimidation had occurred; he repeated, therefore, the statement of the petitioners, that there was no necessity whatever, as regarded the county of Louth, for the enactment of this tyrannical and oppressive measure. The statements made with regard to the backwardness of the gentry of that county to do their duty, he denied *in toto*. In 1817, when the country was in such a state of disturbance, that the Judges were obliged to ride with a military escort, the yeomanry of the county, who might do honour to any English county, fearlessly and independently came forward to discharge their duty. The people looked upon this Bill with feelings of disappointment and indignation — of disappointment, because they had placed confidence in his Majesty's Ministers, and had done all they could to support them. He begged to add, that unless his Majesty's Ministers made up their mind to remove the odious impost of tithes, they could never hope to see tranquillity restored in that country. He said this because it was the conviction of his mind, and not because he had the slightest wish to put one penny of the tithes in his own pocket as a landlord. What he wanted was, that the tithes should be applied to benevolent purposes. He was surprised the other night to hear the right hon. member for Tamworth so strenuously maintain the right of the clergy to the whole of these tithes. He contended, that the poor had at least a co-equal and co-extensive right with the clergy.

The petitions having been brought up,

Mr. *Harvey* said, he had listened with attention to the petitions which had been presented, and which contained statements in direct contradiction to those which had been urged in support of the measure. Now, it happened there was not any one member of the Government now present to hear those statements, though it had been clearly understood, when the new arrangement was made, that at least one Minister of the Crown should be present to hear the representations and complaints of the people. As the petitions would go to the Petition Committee, and only such parts be printed as they thought fit, it was surely not too much for the people to expect that, at least, one officer of the Crown should be present on these occasions.

Mr. *Fitzgerald* concurred in the observations of the hon. member for Colchester. He did not complain of the want of attention to himself individually; but he certainly had been anxious that some one of his Majesty's Ministers should be present to listen to the statement he had to make, particularly as he had not been able to obtain a hearing on a former occasion. If he had been allowed a hearing on that occasion, he should have stated that he had received a letter from one of the Deputy-lieutenants, informing him that Sir Patrick Bellew had written to him, the Deputy-lieutenant, to say that his part of the country had become perfectly tranquil. He mentioned this, as the right hon. Secretary had laid great stress upon a letter of Sir Patrick Bellew's. But what would the House think when he stated that that letter had been written five weeks previously to that written by the Deputy-lieutenant, and was for the specific purpose of being allowed to put the Peace Preservation Act in force, permission to do which had been granted and acted upon, with the best possible effect?

Mr. *Nicholas Fitzsimon* said, that five of these petitions having been presented from the county he represented, he begged leave to support the prayer of them. They were numerously and respectably signed. They asserted that their county was in a state of tranquillity, notwithstanding it had been stated in that House that it was in a state of disturbance. He would appeal to his noble colleague opposite, whether, from what had been done on numerous trials, the law was not sufficient, as had been demonstrated, to put down those disturbances, if it were to be put vigorously into execution. One of the letters which he had received, asked, whether it was not distressing that able-bodied young men, some of whom had aged parents, and others young families depending upon them for their support, were going about the country unemployed, notwithstanding they were willing cheerfully to give their labour for sixpence a-day? He thought some of his Majesty's Ministers ought to have been in their place to have heard these statements, and to have listened to petitions which were so numerously presented against this Coercive Bill.

Lord *Oxmantown* rose merely in consequence of the direct allusion which had been made to him by his hon. colleague. His hon. colleague had not contradicted one single fact which he (Lord Oxmantown) had stated the other night. He was much surprised that his hon. colleague should have stated, that his county was in a state of peace, notwithstanding within the last month, and almost at the hon. Member's own door, thirteen stand of arms had been taken, and one man most barbarously murdered.

Mr. *Perrin* said, that with the exception that this Bill went to take away Trial by Jury, he felt compelled to give it his concurrence. He lamented the state of the country had created the necessity of bringing in such a Bill; but, however reluctantly he did it, he should feel bound, in the course of the further discussion it might undergo, to give it his support.

Mr. *Henry Grattan* said, that he held in his hands a number of petitions, which had come to him from eighteen or twenty different places—principally from parishes in the counties of Meath, Clare, and Mayo—all against the Bill, and praying that it might not pass into a law. One of the petitions, in particular, deserved the attention of the House. The petitioners deplored the occurrence of several murders, but at the same time, stated that there were great exciting causes for all the outrages which had been committed, amongst which stood most prominently the levying of tithes and the Grand Jury Cess. On Monday last five individuals had been found guilty of Whiteboy offences, and sentenced to punishment; so that it was preposterous for the noble Lord to suppose, that the law, as it at present stood, was not capable of reaching those or any other offences committed in Ireland, provided it was put into active execution. It was then to be hoped that the noble Lord would this night abandon that part of the Bill, which went to the formation of Courts-martial, and to destroy the Trial by Jury. He could not help asking what had been done for the people of Ireland? Upon inquiries that had already taken place respecting the state of Ireland, the Lord Lieutenant himself stated, that it was absolutely necessary to give employment to the people. That employment had not been given. Instead of giving it, they proposed to lock up the Irish people for twelve or fourteen hours out of the twenty-four. Would it not be much more reasonable, if the law was violated, to call in the Sheriff? The Sheriff would do more good with his powers properly exercised, than the right hon. Secretary would do in scattering his army throughout Ireland for the purpose of collecting pigs and geese, and driving them to the different markets, to be sold for tithes. The intention was, to pass this Bill, for the purpose of arming the Executive with anti-constitutional powers—powers which would be extremely dangerous, and would go far beyond any authority which any set of individuals ought to have. For his own part, he could not understand what benefit Ireland was to have from being united to England, if Ireland was to be put without the pale of English laws. He should feel himself bound to take an opportunity of expressing his sentiments on this subject this night; and while he was willing to give every facility to the operation of laws to protect life and property, he should be equally pertinacious in opposing any law which went to the destruction of the constitutional rights of a vast number of his Majesty's subjects.

Sir *Eardley Wilmot* presented a petition from the Magistrates of the county of Warwick, acting in the Birmingham division; and from the bankers, merchants, and numerous tradespeople and shopkeepers, all rate-payers of Birmingham, regretting, and expressing their heartfelt sorrow that some measures were necessary for the purpose of putting an end to the disturbances that existed in Ireland, and stating their reliance upon the House to adopt such measures as would really redress the grievances under which that country laboured, and by which they would secure to every class of his Majesty's subjects, good government, and by which they would have securities for their persons, and protection for their property. He had great satisfaction in supporting the prayer of the petition; and he trusted that no Gentleman in that House would think that he did so because he was unwilling to redress the grievances of the people. If they did think so, they were much mistaken, for he had passed the greatest portion of not a short life in endeavouring to promote that object. He should take the present opportunity of answering an appeal which had been made by the Irish Gentlemen on the other side of the House to the English country Gentlemen sitting on the side (the Ministerial) where he sat. They had more than once asked if the English Gentlemen would support his Majesty's Ministers in passing an Algerine law for Ireland — whether they would forge fetters for her, and whether they would forget the great debt of gratitude which was due to the people of Ireland for the great support they had rendered to this country in passing the Reform Bill? To that appeal he answered in his own name, and he had no doubt in the name of the majority of the country Gentlemen of England, that he would not support Ministers in the passing of an Algerine Act for Ireland, or in forging fetters for her, nor should he be prone to forget any debt of gratitude, real or imaginary, which might be due to Ireland. But he should support Ministers in abolishing slavery in Ireland—in taking off the fetters from the minds of the people—fetters imposed upon them by the leading agitators of that unhappy country. He would pay any debt of gratitude which might be owing to the Irish people, by doing an act of kindness to them, in preventing them from injuring themselves, by arresting their own hands lifted up for their own destruction. It was upon these grounds that he should support the Bill introduced by his Majesty's Ministers. He should support its principles, for he conscientiously believed, that if the principles of that Bill were not agreed to by that House there was but one power on earth which could allay the distresses under which Ireland laboured—wipe away her tears—or staunch her blood—nothing else could effect such a happy change, except the adoption of a thoroughly different course by the hon. Gentlemen on the other side of the House. If they would only exert themselves half as much to allay civil commotion and civil disturbances, as they had exerted themselves, he did not say intentionally, but in effect, to create them, they would do more for the happiness of Ireland in a week, than 100 such Bills, backed by 100,000 soldiers. They would by that means render themselves true liberators, for they would free their own country from crime; they would be true pacificators, because they would have given to their own country the blessings of peace; and they would be true conquerors, because they would have conquered themselves.

Mr. *O'Dwyer* said, the hon. Baronet had expressed the greatest anxiety and wish to relieve Ireland from what he called the state of slavery under which she was at present sunk; yet at the same moment he signified his determination to vote for a bill which in that country would suppress public discussion, take away from the people the Trial by Jury, and throw them into the power of the military—that he would vote for a bill which would give an indemnity for every atrocity that might be committed. With all the good wishes expressed by the right hon. Baronet, he must say, that he took a most left-handed way of expressing them, and putting them in force, towards that unfortunatec ountry.

Sir *Eardley Wilmot* had only said, that he agreed to the principle of the Bill—not to its details. If he thought that by supporting Ministers he was imposing chains upon others, he should be the last in the world to vote along with them; but the idea of liberty which he entertained differed widely from that entertained by the right hon. Member opposite. He did not call that liberty, where a man claimed freedom of action for himself, but denied it to every other person. He considered true liberty to be the right of every man to do what he felt to be agreeable or advantageous to himself, without infringing on the happiness or advantage of others.

Mr. *Finn* said, that nothing could prove so much the ignorance with which the legislative measures connected with Ireland were passed in that House, as the sentiments expressed by the hon. Baronet, when he said, that he and the Members that acted with him, were the people that had raised the storm, and that it was in their power at once to allay it. The people of Ireland would entertain their opinions and remain in their present excited state, so long as they were oppressed as at present; they would do so, though he, and all that acted with him, changed their opinions to-morrow. If they were to change their conduct, they might lose their influence with the people of Ireland, but the opinions of that people would remain unchanged. It had been made the subject of a complaint in that House, that a portion of the people of England were unable to earn 2*s.* a-day; then how could it be expected that people were to be quiet who were not for more than one-half the year in the receipt of more than 6*d.* a day? That House had paid no attention to the real interests of Ireland, and now to allay these dissensions which were the natural result of misgovernment for seven centuries, they were going to pass one of the most atrocious Bills that ever had been brought into the British House of Commons. He could assure the hon. Baronet that it was not in the power of fourteen or fifteen individual agitators, as they were called in that House, to allay that spirit which was now abroad among the people.

Mr. *Dugdale* had been requested to support the prayer of the petition, presented to the House by his colleague, which he did with pleasure. When the House found a petition of that kind come from a town like Birmingham, signed by all the Magistrates, the high and low bailiffs, and 1,400 of the most respectable inhabitants, it surely might be received as an answer to the often-repeated assertion, that the people of England were wholly against this Bill.

Mr. *Thomas Attwood* would only observe, that the petition did not support the Bill now before the House, but merely prayed that a bill might be passed which would put down the disturbances prevalent in Ireland. If he had supposed that the Bill would have that effect, it should have had his most hearty support; but so far from that being his opinion, he conceived that where one life was now sacrificed a hundred would be after the passing of that measure. The petition also prayed for redress of the grievances of Ireland; but he saw no such intention in the Bill, nor did he give his Majesty's Ministers any credit for what they had proposed. What was the paltry Church-cess which they proposed to abolish, compared to the great grievances under which the country laboured? He saw, by the papers of that morning, that a most respectable Roman Catholic gentleman had been most cruelly and barbarously murdered, not from any political cause, but merely because he distrained for rent. Grievously oppressed indeed must the people be before they brought their minds to murder a gentleman for merely taking possession of his own property, when his rent was not paid. He did not mean to say a word against the respectability of the names attached to the petition, but would only observe, that the Magistrates whose names were to it were county Magistrates—that there had been no public meeting—that he had looked over the petition, and had only seen the names of two merchants and five bankers. As respectability was now estimated, as he was sorry to say it was, by wealth, he would undertake to produce a petition on the other side of the question, that would contain five names for one which this petition contained, and which names would be quite as respectable, according to the common acceptation of the term as the names attached to the present petition.

Mr. *Methuen* said, he was convinced that some legislative enactment was necessary for the tranquillization of Ireland. If his mind had not been made up before, he should have been convinced by the speech of the hon. Member on the floor (Mr. Finn). He hoped that Ministers intended to act by Ireland in the same spirit as they did for England, otherwise he would not give them his support towards passing that Bill into a law. However, he conceived that the law must be made paramount, and protection afforded both for life and property.

Mr. *Henry Grattan* would take the hon. Member at his word. The Ministers were not only taking away the protection from life and property, but were actually robbing the people of their liberty, by this Bill, which, he again asserted, was to facilitate the collection of tithes. Within the last fortnight his Majesty's Attorney-General for Ireland had actually put up to sale the chattel interest of a tenant for tithes. After that, could they wonder at excitement—was not that adding fuel to flame? He would state one case of oppression with regard to the collection of tithes that had come to his own knowledge. In the county of Waterford, a sum of 4*l.* 13*s.* 4*d.* tithe money, was sought to be recovered by process. The costs of the recovery amounted to the sum of 105*l.* Was this acting in the same spirit towards Ireland as they did towards England? But would the House believe, that after all, the tenant actually produced the receipt for the

4*l*. 13*s*. 4*d*? He wished to ask the hon. member for Dungarvan, whom he saw in his place, whether he knew anything of the proceeding of the Attorney-General in the case referred to?

Mr. *Baldwin* said, the hon. Member on the opposite side had blamed a few Members on that side of the House as being the cause of the disturbances which now reigned; and, if he recollected right, he also stated they were led by one man. He protested, for himself, as he believed he might for his friends, against being supposed to be blindly led by any individual. They were not the instruments of any man's ambition, nor the tools of any leading agitator, but honestly, independently, and according to their own conviction, they sought to re-establish the tranquillity of Ireland, by obtaining the full enjoyment of its rights and liberties.

Mr. *Lamb* said, that having been alluded to by the hon. Member opposite, both as a member of the present Government, and as member for Dungarvan, he did not know in which character the question was put to him. He begged to say, however, that he had received no intelligence from Waterford of the result of the proceedings instituted for the recovery of tithes, or he should have been happy to have answered the question. He had, however, this day received tidings of a very different nature from that quarter—namely, tidings of the commission of a most horrible murder. If the hon. Gentleman opposite and his friends were exerting themselves to allay the disturbances of Ireland, he regretted that their exertions had not been more successful than the accounts which daily arrived from that country showed them to be.

Major *Keppel* presented a petition from Diss, in the county of Norfolk, against the Irish Coercive Bill, and expressed his regret that it was not in his power to support it.

Mr. *Baldwin* said, in answer to the observation of the right hon. member for Dungarvan, that it was not much to be wondered at if the friends of Ireland were not successful in restoring peace to that country, when, as fast as they extinguished the flames, his Majesty's Ministers raised them again, by applying the brand to materials they knew to be so combustible. The disorder of the country arose from the measures of the Government, in enforcing the payment of tithes.

Mr. *Harvey* presented a Petition from the Members of the Union of the Working Classes at Bury St. Edmund's, Suffolk, against the Coercive Bill. He quite concurred in the suggestion which had been made by more than one hon. Member in the course of the day—namely, that if, instead of making petitions texts for long orations, they were simply to read them, they should be better complying with the objects of those who addressed them, and perhaps hear matter of more weight than they now occasionally did. At any rate, he did not think the petition in his hand an exception to this rule. The petition expressed the disappointment and regret of the petitioners that the first measure of a reformed Parliament should be one of such outrageous violation of the best principles of the Constitution, that it could not be tolerated in any country where the semblance of liberty existed. They particularly regretted the proposed suspension of the *Habeas Corpus* Act, by which, in times not long past, the Government had been able to wreak its vengeance on persons obnoxious to it, without assigning the semblance of a reason. Believing that all violation of the Constitution brought punishment upon the innocent instead of the guilty, they prayed the House not to pass the Bill. He begged to say, that to these sentiments so well expressed, though coming from a lowly class of persons, he gave his cordial support.

Mr. *George Evans* presented a similar petition from Swords and Malahide. The petition was worded in strong language; but from the state of excitement into which Ireland was thrown by the attempt to bring in such a measure as this, that was not to be wondered at. The petitioners stated, that they regarded with horror the introduction of such a Bill as this—they also stated their conviction, from the late speech made by Mr. Stanley, that he was totally unfit for the office he now held of Secretary for Ireland, and prayed the House to address his Majesty for his removal. The hon. Member begged leave to state, that though he had voted for the Bill going into Committee, there were many parts of it so objectionable as to make it his bounden duty to try and amend them in the Committee. The suspension, for instance, of the *Habeas Corpus*—Martial Law—fire and smoke law—which to him was very unintelligible, and which, if carried into effect, would lead to many other disturbances, he should decidedly oppose. He must take that opportunity of saying, that he deprecated the mode of opposition which he had been informed had been resorted to out of doors—he alluded to the run for gold on the banks in the southern part of Ireland. He deprecated it, for he thought that it would produce great injury to the people themselves, more so than to the bankers, because, he believed, that the Government were prepared for such a run. He understood the traders had refused to traffic with the agriculturists in the South of Ireland, fearing the run on the banks. He thought this state of circumstances would lead to great inconveniences, and that it was not a proper mode of opposing this measure.

Mr. *Christopher Fitzsimon* cordially agreed with the petitioners in their prayer. The petition, he could attest, was signed most respectably. Not hitherto having had an opportunity of giving his opinion on this measure, he now begged leave to state, as one of the members for the Irish Metropolitan County, that he entirely objected to this Bill.

Mr. *Finn* said, there was one observation, that respecting the run now occurring for gold in Ireland, on which he wished to say a word. When reform was wanted in this country, he would not say whether it was wisely done or not, but the fact was, that placards were stuck up in the City, saying: "If you want to stop the Duke, go for gold." People in Ireland had taken the hint, and thought that if they wanted to stop the Ministers they must go for gold. This might be unwise, and might be the effect of mere desperation; but it showed the feelings which had been already introduced in the country by this Bill. Self-interest and advantage were forgotten, and in their desperation men ruined themselves in order to check the fatal course of his Majesty's Ministers. This was only a foretaste of the dreadful results of this measure, which his Majesty's Ministers could not, he was sure, have calculated upon when they brought it in. Whilst speaking upon this subject, he would remind the House of a difference which existed between this country and England. In England no notes were allowed to circulate under five pounds in value, and the same law ought to be established in Ireland; for as long as they had one-pound notes in circulation, their currency would be upon an unsound footing.

Mr. *Montague Chapman* said, that the effect of a run for gold in Ireland would be most injurious to the poorer classes, and it was to be regretted, that the leading men among those who opposed the Bill now before the House did not rise in that House, and conjure the people of Ireland not to be deluded by the cry of running for gold. Such a cry could not produce any good, but would be most of all injurious to the poor men who had put by money in the Savings' Banks, who would draw it out and must spend a part of it—perhaps a part they could hardly ever replace—before their confidence was restored.

Mr. *Nicolas Fitzsimon* said, that he had received letters from several merchants in Ireland, requesting him to raise his voice in this House against the run for gold, which, as stated by the hon. member for Kilkenny, he considered a most desperate measure. It had been attributed to the people of Ireland, but the origin of the run was to be found in certain insinuations made in the Irish papers, which, come from what quarter they might, he had no hesitation in saying, were most injurious to the people of Ireland; for it was the poor people who depended upon their labour that would suffer most, though, undoubtedly, landlords would suffer also.

Mr. *Fergus O'Connor* felt satisfied that the run for gold would be most injurious to the agricultural population. The landed proprietors of the county of Cork had been in the habit of obtaining loans of money upon the credit of their crops, from the banks in the town, which had enabled them to employ the poor. He had received letters, however, informing him that all confidence was at an end, and that traders would no longer traffic with the agriculturists. The effect of a run for gold would be to add, not to excitement, but to poverty and misery, and therefore he deprecated it.

Mr. *Cobbett* was very unhappy in being obliged to differ from opinions so well expressed; but so far from conjuring the people of Ireland not to run for gold, he conjured them to run for gold. It was truly said, by a wise man, that paper money was strength in the beginning, but weakness in the end. Gentlemen might say what they pleased about this matter, but they were destined to be brought under military tyranny, both in England and Ireland, and their only safety against the attempt which would be made for that purpose by the Government, would be from the weakness it inherited from this source. They all knew that his Majesty's Ministers would not have been in their places—that the Reform Bill would not have passed—that probably a convulsion would have taken place in the country, had it not been for the power which the people possessed of running to the Bank of England for gold. It was known that forty-eight hours more could not have elapsed during the crisis without a stoppage of the Bank. Therefore it was, that way was given—therefore it was, a relaxation took place—therefore it was, Lord Grey came back to power—and therefore it was, that the Reform Bill was passed. How, then, were the people of Ireland to be told that they could not get anything by going for gold? They were told, that it would bring upon them distress and misery; but how could they be worse off than they were now? What could they have worse than military officers to try them, instead of Judges and Juries? He believed, that the measure of coercion now before them for Ireland, was only the prelude to the introduction of a similar measure into England. He believed, that it was in contemplation to establish, in every village, and in every town of England, a system of military police. He was sorry that the noble Lord (Lord Althorp) was not in his place, or he would distinctly ask the question, whether it was not in contemplation to establish a police in England similar to the police of Ireland—a gensdarmerie similar to that of France. He did not believe, that the noble Lord would deny the fact. He should say, that they had no protection against an attempt of this kind, except in the weakness experienced by the Government from the existence of paper money. Paper money was a great curse—was a scourge in itself; but it came at last to cure the evil it had created. He repeated, that it was our only protection against a military Government, and the establishment of military tribunals; and he repeated, deliberately, that if the Bill before them was passed, his Majesty's Ministers would bring forward a measure to establish in this country a police like that in Ireland, and other measures to inflict upon us all that is proposed to be inflicted upon Ireland by this Bill. He did not say this without having thought upon it, and, therefore, he earnestly conjured the people to run for gold. Sufferings, indeed, they would have; but let them remember that they could not have anything worse than this Bill, that they could not be in a worse situation than Ministers sought to place them in. His words to the people were, then, "run for gold, produce confusion, anything—[" Order" and " Chair"]

The *Speaker* said, an hon. Member might give what advice he pleased, but it was not allowed in the House to ascribe motives to any hon. Member; and had any hon. Member put that interpretation upon the speech of the hon. member for Oldham, which it appeared, he wished this House and the country to put upon it, it would have been most disorderly. When, therefore, the hon. Member himself makes running for gold synonymous with producing confusion, it is clear, uttering that in this House is most disorderly, and the hon. Member is lawyer enough to know, that what he has now uttered, if uttered out of the House, would have subjected him to the operation of the law.

Mr. *Cobbett* would take care not to offend again. What he meant to say was, that in no state of things in which the Irish people could be placed, could they be worse off than they would be under the Bill. That was all he meant to say. Seeing the right hon. Under Secretary for the Home Department in his place, he begged to ask him whether he had not heard of certain societies or conspiracies on foot relative to paper money; he meant the Currency Clubs?

Mr. *David Roche* was extremely sorry to hear the hon. member for Oldham recommending the people of Ireland to run to the banks for gold. For his own part, he would take upon himself to declare, that no two banks could be placed upon a better footing, than those carrying on the money affairs of Ireland. He trusted the hon. Member would not place Ireland in a state of confusion by such recommendations. If runs did take place, the consequence would be the withdrawal of credit by the banks.

Mr. *James Grattan* deprecated the introduction of such topics during the discussion of Irish petitions.

Mr. *Lamb* would leave that part of the hon. Member's speech relating to the run upon the Banks to answer for itself, for he had stated, if the people ran for gold they would increase their suffering, although they could scarcely be greater than they were at present. With respect to that part of the hon. Member's speech, in which he had stated that it was the intention of Government to introduce a military police and gensdarmes all over the country, he felt extremely sorry, that his noble friend, the Chancellor of the Exchequer was not in the House, as a denial by him of that statement would be much better and more effectual than one coming from him (Mr. Lamb). He could, however, most distinctly assure the House, that further than the present system of police, no measures had ever been even for a moment contemplated by the Government. With regard to the Currency Clubs, to which the hon. Member alluded, he would leave him to the full enjoyment of his own joke.

Petition laid upon the Table.

SUPPRESSION OF DISTURBANCES (IRELAND)—COMMITTEE.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee on the Suppression of Disturbances (Ireland) Bill.

Mr. *Cutlar Fergusson* suggested, in order to facilitate the discussion of the subject, that the first Clause of the Bill should be divided, and the parts relating to public meetings and to Courts-martial, considered separately.

Lord *Althorp* had no objection, as he thought the course would be convenient.

Order of the Day read.

Lord *Althorp*, in moving, that the Speaker leave the Chair, wished to state, that, in consequence of the Representations to Ministers, by those who were generally disposed to support the Bill, it had been determined to make two alterations. The first related to Courts-martial. Ministers were ready to provide that no person should be permitted to sit upon a Court-martial under the rank of captain in the army. They were also prepared to concede that, when the number of members of a Court-martial should not exceed five, the verdict must be unanimous; when the number should not exceed seven, at least five must concur in the decision; and where it exceeded seven, seven Members must agree before punishment could be inflicted. The second alteration related to domiciliary visits, regarding which Ministers were ready to make a change in the Bill, and to provide that it should be sufficient if, when the names of the residents were called over, they answered, and showed themselves; when this was done, the visiting party should not have the power to enter the House. He had stated these points, in order to save time.

Mr. *Robinson* asked if a verdict would stand, where one of five officers dissented?

Lord *Althorp* replied in the negative; adding, that the smaller the number of Judges, the greater was the necessity for unanimity.

Mr. *Warburton* asked, whether, as in the case of ordinary Courts-martial, the commanding officer would have the power of sending back a sentence for revision?

Lord *Althorp* was not prepared to give an answer, at that moment.

On the Question that the Speaker do leave the Chair,

Mr. *O'Connell*, in rising to move an amendment to the Motion that the Speaker do leave the Chair, wished to call the attention of the House to that great principle of the Bill which involved the right of petitioning. He was not inclined to abandon any part of his own opinion for the convenience of any Gentleman who was opposed to the principle of the Bill. It was his intention not to yield his own judgment, maturely made up, upon points even of that description. The question before the House, he said, was one of vital importance: it was this—how much of the British Constitution was to be allowed hereafter to exist in Ireland? How far the Legislative Union was to be more than a mere name, or, rather, more than an absurd mockery. He was determined to take the opinion of the House, in the most explicit manner, upon every principle involved in what he might still call, as it was not passed, this atrocious Bill. He should propose the following amendment:—"That it be an instruction to the Committee to preserve inviolate and effectual the undoubted rights of the King's subjects in Ireland, peaceably to propose, prepare, and present petitions, for redress of grievance, to his Majesty, and to both houses of Parliament." He wished for no tumultuous proceedings — nothing that could be considered a breach of the peace, either actually, constructively, or which tended to it. Next, he asked for no right to be preserved but the right of petitioning for redress of grievances—nothing but what *bona fide* might be included within that description. That applied to the first clause of the Bill, which gave power to the Lord Lieutenant to disperse or suppress any meeting for whatever purpose it had been held. It required no sanction—no oath—no evidence. It conferred upon the Lord-lieutenant political infallibility. As to the assertions of the noble Lord, they were (and he said it with no disrespect) perfectly ludicrous, about giving the power of a Judge to a person merely because he had obtained the dignity of a captain. Really he thought that it could not be seriously intended. As to the concessions of the noble Lord, they were of a most trivial nature, such as might satisfy those who wished to be satisfied, but they would not make the Bill one bit more acceptable to the Irish. He begged to remind the House respectfully but firmly of the impression this Bill would produce in Ireland: the whole course it ran would show the people there how little attention was paid to their interests, and how indifferent Parliament was to their rights. If this ought to be done, let it be done; but he entreated the House to pause before the people of Ireland were taught to despair of having their rights protected, or their properties defended, by the laws of the land. He would not prophesy what would be the effect of the Bill in Ireland, because merely to prophesy would be considered directing; but recollecting that Great Britain had never done justice to Ireland—that Ireland had never derived any advantage from the Union—he re-asserted that Ireland had never derived the slightest benefit from the Union—and he was ready to meet any man foot to foot upon the question. He challenged any man to maintain the contrary: he (Mr. O'Connell) could appeal to history, which showed that Ireland had been treated with the most cruel oppression and with the basest treachery [*Interruption*]. He was ready to wait until Gentlemen were ready to listen, for by interrupting him they only inconvenienced themselves. The value of the right of petitioning he apprehended it was not necessary for him at this time to establish. The right of petitioning was valuable in England; but was it not peculiarly valuable in Ireland, when such a lamentable degree of ignorance was displayed in Parliament on the affairs of that country? Was not the exercise of the right more than ever necessary, when the *Habeas Corpus* Act was about to be suspended, and the rules of evidence at an end? Was it not necessary, he asked, that the people should have the right of complaining, if the terrific powers given to the Government by this Bill were abused? Let Gentlemen recollect the nature of the tribunal by which the law was hereafter to be administered in Ireland. A Gentleman once told him that he was member of a Court-martial, before which three men were tried for an offence to which the punishment of death was attached. The only evidence that could be adduced against them was extremely slight. The Judge Advocate, therefore, remarked that it would be necessary to exercise caution in dealing with them. When they were brought before the Court-martial, the Judge Advocate told them that if they admitted their guilt, they would be pardoned. The men were induced to admit their guilt, and they were then ordered to withdraw, when three members of the Court-martial voted for, and two against, a verdict of "guilty." The men were then sentenced to be shot; but this sentence was afterwards commuted to transportation. The Gentleman who informed him of this was one of the five officers on the Court-martial; and he stated that he was perfectly willing to prove this case before any tribunal. If the horrible scenes which occurred in Ireland when the people of that country were before subject to Courts-martial, should again be re-enacted, were they not to be allowed to state their sufferings and grievances in petition to that House? Could any man who read the provisions of that Bill, and considered the powers with which it invested the Government and its officers, say that the subject should be deprived of the right of petitioning? The Magistrates, constables, and police were authorised to search houses for arms, and also to search for strangers. Was not this a power which might be abused? It gave the officers the right of ascertaining the sex of the inmates of any house; and he had heard of an instance in which officers—militia officers, however, he was bound to say—who had been intrusted with a similar power actually paraded six women naked before them, under pretence of proving that there were no men in the house. That was a fact he could prove if it was thought necessary. Under this Bill there was a perfect indemnity for the persons composing

Courts-martial. The whole kingdom, at the discretion of the Lord-lieutenant, was to be subject to that tribunal, and, considering all those circumstances, he put it again to the House whether there had ever been such a case for opening wide the doors of Parliament to the petitions of the people? It might be said, that the present Bill did not take away the right of petitioning. No, the people might petition, with the consent of the Lord-lieutenant. That was the mode in which the sacred right of petitioning was to be preserved to the people of Ireland. The Bill certainly allowed one person to petition. An individual might sign a petition and carry it round to the houses of others for signature; but if two persons met for the purpose it would be an illegal meeting to petition, and might be suppressed. He had often seen the disrespect with which petitions were treated in that House, when they came under the expressive denomination of a hole-and-corner petition. Such petitions alone could henceforth be sent from Ireland, and the right of petitioning would be completely suppressed. What man could with safety attend any public meeting for any purpose? The Bill gave encouragement to spies and informers, and a person of that description had only to swear that any man was at a meeting to petition to subject him to the tender mercies of a Court-martial. He addressed himself on this subject more especially to English Members. The denial of the right of petitioning was one of the ingredients of that revolution to which every Englishman looked back with pride. Without this right flagrant crimes might be committed by public men with the most perfect impunity in ordinary times; but when the Magistracy, the constabulary, the army, the Government, had such frightful powers vested in them, was it just, was it expedient, to deprive the King's Irish subjects of the power of complaining? He had heard many Members say, that they supported this measure because they had confidence in his Majesty's Ministers, who were responsible to a Reformed Parliament for the manner in which they exercised the powers intrusted to them. Now, he begged to ask those hon. Members respectfully what the responsibility of Ministers amounted to if the people were not suffered to petition? Without that right there was no responsibility; and, without responsibility, what was the confidence reposed in Ministers? He begged it to be distinctly remembered that he was now only contending for the quiet, orderly, and peaceable right of petitioning. He was not contending for the abuse of the right, nor was he now arguing for the existence of any political association. He said nothing at present of any political club or union. The Political Unions were in great disfavour this year, though they had abundant protection and praise bestowed on them last year. They were made use of whilst their assistance was deemed necessary; but, being no longer wanted, they were flung overboard. He, however, was not at present contending for the existence of those political bodies—he confined himself to fairly-assembled meetings, to petition for a redress of their grievances. All he required was, that when grievances were felt by persons, they should have the countenance of their more influential neighbours in coming together, discussing their grievances, and petitioning the Legislature. This was all he was contending for—it was a miserable remnant, a rag, of the British Constitution. It might be said, that his motion ought to be opposed on account of the smallness of his demand; but he would take it, because if that right existed, despotism would not be complete. It had been said if a free Press had been established in Constantinople, an end would be put to the tyranny that reigned there; so, if the right of petition was still continued, the constitution of Constantinople would not be diffused into Ireland, and the steel of his Majesty's Ministers would be blunted. Pandora's red box had been opened; let the right of petitioning be preserved, and hope would yet remain at the bottom. Whatever opinions might be entertained on other parts of the measure, no man could contend that Ministers had made out any case against petitioning. The outrages on which they relied had nothing to do with the right of petitioning. The Whitefeet would not be affected by depriving the people of Ireland of that right. In what instance was it alleged that the right had been abused? The only prosecutions arising out of public meetings had sprung from anti-tithe meetings. And was it to prevent the people from petitioning against tithes that the right was to be taken from them? If facts made the impression in that House that he thought they ought to make, he could state many.

The proceedings at the Assizes now going on proved that the province of Munster was in a state of peace and tranquillity. He happened to know that the county of Clare was in a state of perfect tranquillity; and, at the recent Assizes, the number of criminals tried was very small. Among those tried, was a man for the administration of illegal oaths; and respecting this man, he had received a letter from a most respectable Catholic clergyman—the reverend Mr. Fahy—in which it was stated that the prisoner, on being sentenced, said —"My Lord, I am sorry to say, I am not guilty." Again, it appeared from the last address of the Judge in the county of Kerry, that there were hardly any offences to be tried at the assizes there—that, out of a population of upwards of 300,000, there were only seventeen prisoners for trial in the calendar. Again, the counties of Limerick and Cork were in a similar tranquil state. But all these parts of Ireland, where the utmost tranquillity prevailed, were to be exposed to the operation of this cruel and tyrannical Bill. The Lord-lieutenant, by his "order," had the power of placing any part of the kingdom under the provisions of the Bill, and innocent persons might render themselves liable to punishment for offences committed under it, before they could be aware that the part of the country in which they resided was subject to its provisions. In fact, the measure had all the worst crimes and qualities attributed to the odious and execrable Inquisition. He thanked the hon. member for Leeds for mentioning Algiers, and he, unhesitatingly, pronounced this measure worse than any ever known at Algiers. It was not the Lord-lieutenant's proclamation, but his "order" that was required to make any meeting illegal, and bring it under the operation of the Act. Every one knew what a proclamation was—it must appear in the *Gazette*, but who could define what constituted a Lord-lieutenant's order. He supposed it might be either verbal or written. There was nothing stated in the Bill to show the contrary. But what had been done at public meetings to render it necessary to suppress them? There had been no breach of the peace at any public meetings; and the only complaint he had heard was, that at some of those meetings inflammatory language had been used. Inflammatory language could do little mischief unless it was published, for its influence must necessarily be confined to the meeting at which it was delivered; and if it was published, was not there the most severe libel law in the world to meet it? There was a law to prevent libel—a law to prevent sedition—a law to prevent breaches of the peace—a law sufficient, as he contended, to prevent any abuse of the right of petitioning; and as, no doubt, there were many independent Members in that House, he would put it to those Members whether the people of Ireland should be deprived of that sacred right without any cause shown or any necessity proved? To put that question to issue, he should propose the resolution which he had already stated, by way of instruction to the Committee. The hon. and learned Member concluded by reading his Motion.

Lord *Althorp* was not quite sure whether, according to the ordinary practice of the House, the hon. and learned Gentleman was quite justified in moving an instruction to the Committee of the nature proposed. He had always heard it laid down as a rule of that House, that instructions to a Committee, not giving that Committee power beyond what it possessed before, could not be moved. The Committee already possessed the power of altering the clause to which the hon. and learned Member had referred, and, therefore, his instruction, to say the least, was unnecessary. It appeared to him, that the moving of such an instruction could only be intended for the purpose of delay. The hon. and learned Gentleman had told the House, that he wished to take its opinion upon three great constitutional questions—first, upon the impropriety of abolishing the right of petition; next, upon the impropriety of abolishing the Trial by Jury; and, thirdly, upon the impolicy of suspending the *Habeas Corpus* Act. Taking these questions as abstract questions, it would, no doubt, be favourable to the hon. and learned Gentleman's object to ask the House, whether it was favourably disposed or not to the right of petition; for there could be no question that every Member would agree that the right of petition was one of the most valuable rights enjoyed by British subjects. But the question now was, whether the circumstances of the times were such as to make it expedient and necessary to suspend to a certain degree, but not entirely, certain rights which were connected with the right of petitioning, but which were not the right of petitioning itself. The hon. and learned Gentleman said, that by the first clause of this Bill the right of petitioning was done away with altogether. Now, nothing could be a greater exaggeration than such a statement; for the first clause of the Bill merely said, that the Lord-lieutenant might, by order, prohibit or suppress the meeting of any assembly deemed by him to be dangerous to the public peace, or inconvenient to the due administration of the law. From these words he thought it evident that the Lord-lieutenant, who was a responsible officer, and whose responsibility, in the feeling of Parliament, was not diminished but increased by the present Bill, had no power to prohibit or suppress any meeting which was not deemed by him dangerous to the public peace, &c. He admitted that there were other clauses of the Bill by which no meeting for petitioning Parliament could be held in a proclaimed district, without the previous consent of the Lord-lieutenant; but the hon. and learned Gentleman was decidedly in error when he contended that no meeting could be held for that purpose in any part of Ireland, without the previous consent of that officer. He must, on the contrary, contend, that so far from the right of petitioning being done away with altogether in Ireland, it was not done away with even in the proclaimed districts, for, unquestionably, petitions might be circulated from man to man, and as many signatures as possible obtained in that manner. "But," said the hon. and learned Gentleman, "Petitions signed in this way have not the same effect as petitions agreed to at public meetings." He contended that petitions obtained in this private manner could only be considered as expressing the sentiments of those who subscribed them; and that petitions voted at public meetings might fairly be taken to express the sentiments of the majority of the inhabitants of the districts in which such meetings were held. In the present state of Ireland, however, he was inclined to believe, that the opinion of a public meeting was not so much the opinion of the majority of the inhabitants of the town or district in which it was held as it generally was, and as, constitutionally speaking, it ought to be considered. The hon. and learned Gentleman, in arguing the propriety of his instruction, had travelled out of that question, and had treated the House with an invective against other clauses of the Bill which were not at all connected with his proposition. The proper season for discussing the clauses to which the hon. and learned Gentleman had objected would be in the Committee. As to the clause making any place where a party was detained under this Act a lawful gaol for his detention, it was not, in his opinion, a point of much importance to those who supported the Bill. The objections taken to it were strong, and he was therefore not inclined to insist upon it. The hon. and learned Gentleman had also argued, as if, after the statement which he (Lord Althorp) had made to the House in moving the Order of the Day, the right of search by night was continued by this Bill. He was prepared to insist, that after the alteration which he had just mentioned, there could be no search by night, either for persons or for arms, under the present Bill. The right of searching for arms by night existed under a law at present in force, and therefore there was no occasion for the present Bill either to give or to continue it. As to the right of meeting to petition in a district proclaimed as disturbed, he really saw nothing more mischievous, nothing more likely to continue the disturbances which all sides wished to check, than the assembling of large meetings, at which discussions were to take place similar to those which had recently taken place in Dublin. The hon. and learned Gentleman had said, that if inflammatory language were used at such meetings, it was open to prosecution. Now, he was of opinion that the hon. and learned Gentleman knew well enough how inflammatory language might be used without coming under the lash of the law. The hon. and learned Gentleman had alluded to the case of a man who had been prosecuted for seditious language in the county of Clare. An hon. Member, but he forgot what hon. Member, had said, in the course of the debate, that the man thus prosecuted was a Government spy. If he were, how did it happen that the Crown had been his prosecutor? He was afraid that in arguing the impropriety of this instruction, he had gone further into the question than he ought to have gone; but in a case like the present, where it was not proposed to give to the Committee any power which it had not at present, if it thought proper to exercise it, the only effect of yielding to this proposition would be, to discuss the same question over again, and thus to delay the immediate passing of the Bill. He had explained the grounds on which he thought that the question ought not to be brought forward now, as to the abstract right of the subject to petition, and upon those very grounds he must state his conviction to be, that his instruction was not called for.

Mr. *Henry Grattan* said, that those Irish Members who opposed the present Bill, did not merit the accusation of having opposed it merely for the sake of thwarting the measures of his Majesty's Ministers. For his own part, he would say that, whenever their measures were beneficial to the nation, he would not oppose them; but as he considered this Bill in a very different light, he felt it not only his bounden duty, but also the duty of every Irish Member, to oppose it in all its stages. The object of the Bill was two-fold—to suppress predial and political agitation. No one could object to that part of it which had for its design the suppression of the former species of agitation which led continually to outrage; but everybody must disagree with that portion of it which related to political agitation. A course within the limits of the Constitution might be pursued which would effect the suppression of the latter sort of agitation. It was well known that an Act had existed fully sufficient for this latter case, and that if the right hon. Secretary for Ireland advised the adoption of it—for he seemed in the present instance to be chief adviser of Government—he would have the whole of the House in his favour. The Act he alluded to was the 10th George 4th, chapter the first. He would tell the right hon. Secretary why he had not made use of that Act. If he had, the English Members of that House would have taken it up, and asked, why break in upon the Constitution, when he had already the power of suppressing agitation by suppressing the hon. and learned member for Dublin? That would have been done some time ago, had not the Act expired just at the moment of the dissolution of Parliament. When such an Act could now be revived and put in force, he was surprised that the right hon. Secretary should come forward and ask the House to arm the Lord Lieutenant of Ireland with monstrously unconstitutional powers. He called upon Ministers to withdraw the present Bill, and to put in force the Insurrection Act, and the 10th George 4th, which would be found fully sufficient for all their purposes. If they did so, however painful it might be to him, he would give them his support. All sensible and reflecting men must feel that Ministers were acting unwisely and inconsistently on the present occasion, and that the measures they were now endeavouring to pass would, when the excitement of the moment was cooled down, be a blot upon their escutcheon that they could not easily wipe away. Besides, he further complained, that the present measures would be found inadequate to the purpose they were intended for. Would they put a stop to noon-day murder and midnight assassination? He maintained that they would do no such thing. The evidence given before the Irish Committee, showed, that the acts of violence complained of were the result of vexation, and that scarcely one case of outrage had lately occurred in Ireland which was not caused by some unnecessary aggression. The present measures were evidently brought forward to please one party, but the result would be, that they would please none. With respect to the first clause, he agreed with the hon. and learned member for Dublin, that it did away with the right of petitioning. He also contended, that within the last three years crime, instead of having increased in Ireland, had diminished, whilst in England the proportion was doubled, as might be seen by the number of committals during that period. He would ask the right hon. Secretary opposite, whether he meant to persevere in this measure, and whether he meant to apply it to the collection of tithes? If such should be the case, he felt it his bounden duty to oppose it in every stage of the proceedings. All that the present Bill could do, would be to suppress disturbance for awhile—for a short day—when it would appear again with tenfold violence.

The House divided on the Amendment: Ayes 60; Noes 125—Majority 65.

Another division took place, on the question "that the Speaker do now leave the Chair," when the numbers were: Ayes 151; Noes 34—Majority 117.

List of the Ayes *on the first division.*

ENGLAND.
Aglionby, H. A.
Beauclerk, Major
Bowes, John
Buckingham, J. S.
Cobbett, William
Collier, J.
Cornish, James
Ellis, Wynn
Faithfull, George
Fielden, John
Guise, Sir W. B.
Gully, John
Hall, Benjamin
Handley, Benjamin
Hawkins, John
Hume, Joseph
Hutt, William
James, William
Lister, Ellis
Parrott, Jasper
Potter, Richard
Rippon, C.
Tayleure, W.
Torrens, Colonel
Warburton, Henry
Wilks, John
Wood, Alderman
SCOTLAND.
Oswald, R. A.
Oswald, James
Wallace, Robert
IRELAND.
Baldwin, H.
Barry, G. S.
Butler, Colonel
Daunt, W. O. N.
Finn, William F.
Fitzsimon, N.
Fitzsimon, C.
Galway, J. M.
Lalor, Patrick
Lynch, A. H.
Maclaughlin, L.
Martin, John
Nagle, Sir R.
O'Brien, Colonel
O'Connell, Daniel
O'Connell, John
O'Connell, Morgan
O'Connell, Charles
O'Connor, Fergus
O'Connor, Don
O'Dwyer, A. C.
O'Ferrall, Moore
Roche, William
Roche, David
Ruthven, E. S.
Ruthven, Edward
Sheil, R. L.
Sullivan, Richard
Talbot, J. H.
Vigors, N. A.
TELLERS.
Grattan, Henry
O'Connell, Maurice

Paired off.

Tynte, C. K.	Wigney, Isaac

House in Committee.

On the Question being put, "That the preamble be postponed,"

Mr. *O'Connell* rose and said, that the preamble contained a recital to which he entirely objected. It set forth—"And whereas divers meetings and assemblies, inconsistent with the public peace and safety, and with the exercise of regular Government, have for some time past been held in Ireland; and whereas the laws now in force in that part of the United Kingdom have been found inadequate to the prompt and effectual suppression of the said mischiefs, and the interposition of Parliament is necessary for the purpose of checking the further progress of the same." Now, he denied the truth of that assertion. He would say, with great respect, that there never was a more false assertion introduced into an Act of Parliament. Anything so utterly devoid of truth never had been before declared in a public Assembly, as that the laws in that part of the United Kingdom were found inefficient for the suppression of disturbance and the preservation of property. Mark! It was known by the experience of England, and by the experience of Ireland, that disturbance was always suppressed by the effectual execution of the law. Wherever they had carried the law strictly into effect they put an end to disturbance. This was a matter of fact, borne out by the experience of every man—borne out by the Report on their Table—borne out by the declaration of the Lord Chief Justice of the King's Bench in Ireland. That recital which he had read, was falsifying the statements made by the Judges of the land. They were stigmatized by the declaration, which stated, in opposition to their opinion, that the laws were found inadequate to the suppression of disturbance. If they wished to place the Chief Justice of the King's Bench in an unpleasant predicament, they could not have adopted a better course. In Ireland, they all knew that a Special Commission had been found sufficient to repress disturbance; and yet, with complete knowledge of that fact, they stated the very reverse in this preamble. The fact was declared by the Report of the Committee—it was also stated by the Chief Justice of the King's Bench, and yet, in the face of such evidence as this, precisely the contrary was set forth in the preamble. He defied any one to show him an instance where the Special Commission had not produced the effect which he had stated. He therefore should say, that part of the preamble was totally untrue, and it ought not to be postponed unaccompanied with a declaration of its incorrectness. He should therefore move, that after the words "that the preamble be postponed," there be added these words: "the same containing an untrue recital."

Mr. *Cobbett* said, the preamble of every Bill ought to be strictly true. He recollected a Bill with which he was connected having been brought before the Lords. The first thing their Lordships did, was to inquire whether the preamble of the Bill was true. He proved that it was not true, or rather he threw it on the opposite party to show that it was true. This could not be done, and their Lordships proceeded no further in the business. He had examined the preamble of this Bill, and in his opinion, every word contained in it was false. There was no evidence to prove the allegation, or to justify them in taking away the protection of the Constitution from Ireland, and leaving the people of that country without Judges or Juries. Would a Reformed Parliament, as it was called (and sometimes, he believed in jest), proceed to take away the liberties of Ireland—to dispense with the functions of Judges and Juries in that country, without any proof of the necessity of such a measure? He trusted that they would not do so. If they did, he knew what must be the opinion of the people with regard to that House—he knew what must be the opinion of all mankind with respect to such a transaction. He should heartily second the Amendment, and he hoped that the hon. and learned Gentleman would divide the House on the question, and carry his point.

Mr. *Montague Chapman* opposed the Amendment. He had sufficient confidence in his Majesty's Ministers to indulge in the hope that they would not pass the Bill without some qualifications.

Mr. *O'Dwyer* condemned the preamble as untrue. The right hon. Secretary for Ireland had endeavoured to prove its correctness by adducing evidence on which a man could not be convicted even of petty larceny. The preamble declared that there was in Ireland "a dangerous conspiracy against the rights of property." Had they any evidence of such a conspiracy? Did the numerous landed proprietors in that House bear out the allegation? He denied, that such a conspiracy existed against the landed property of Ireland. He repudiated the assertion as a gross untruth. He appealed to all who were acquainted with Ireland, to say, whether a conspiracy against the rights of property prevailed there? They would, he was confident, declare that rents were never better paid than at present. Had tithes been spoken of, the case would have been different. He admitted, that there was in Ireland a fixed, settled, determined resolution, (which he heartily applauded) not to pay tithes. There was another part of that preamble to which he objected. It spoke of "meetings and assemblies inconsistent with the public peace and safety." Now, he would aver, that the meetings here alluded to as being held in Ireland were not contrary to the public peace and tranquillity. The effect of this Bill would be to put down in Ireland that system which had saved the country from a sanguinary Revolution—he meant the right to petition for a redress of grievances. What was the chief beauty of the Constitution of England? It was to be found in the freedom of the people to meet and to petition. He came into that House by the force of strong popular feelings, and he would resist to the last so atrocious and tyrannical a measure. It was his determination to support his hon. and learned friend, and to divide the House with him.

Mr. *Cutlar Fergusson* said, the opposition to the preamble would be extremely reasonable at the proper time, but the postponement of it was only a matter of form. It must be considered hereafter. It was said, that the existing laws were sufficient for the suppression of disturbance in Ireland, while at the very same time it was admitted that some new laws were necessary for the pacification of that country. If new laws were considered necessary, then it was clear that the present laws were insufficient. He should vote against the Amendment. There was, however, one part of the Bill to which he was opposed. He did not approve of giving over any portion of his Majesty's subjects to a military tribunal.

Mr. *O'Connell* said, the preamble set forth that "the laws now in force in Ireland are inadequate to the prompt and effectual suppression of disturbance." But if the report to which he had referred were true, if the statement of the Chief Justice were correct, then there was no ground for the preamble nor for the Bill. He had not been contradicted in his statement, and he defied any man to contradict him. Where had the law, when properly administered, been found ineffectual? On the first or second reading of a bill they argued on the general principle; but in the Committee he wanted to come at particulars. He wanted proof of what was asserted in the preamble; he called for that proof; and if it were not given, then it would be impossible for the House to carry this measure with any show of justice.

Mr. *Fergus O'Connor* said, he would support the Amendment on the ground taken by the hon. and learned member for Dublin—namely, that there was no foundation for the recital. The laws which came under his own knowledge in his practice, showed there was no want of Jurors to try, or evidence to give testimony at the late Special Commissions. When last July Lord Roden made a statement in the other House of the supposed inefficiency of the law to put down lawless associations, and instanced the frequency of midnight meetings, of fire-signals, blowing of horns, &c. throughout the country, as a reason for putting those districts under the Insurrection Act, Lord Melbourne said the evil was not of to-day, it was but too frequent for the last seventy years; and the application for greater powers being refused, the Magistrates and Gentlemen, to put down the outrages, made a collection of several hundred pounds, and bestirred themselves in their duty. The consequences immediately were, that peace and order were restored. He should give his support to the Amendment of the hon. and learned member for Dublin.

Mr. *Stanley* would read one sentence from the preamble of the Bill, and a short passage from the report of the Committee on the state of Ireland, and having done so, he should leave it to the House to determine how far the assertion of the hon. and learned member for Dublin, that the preamble was negatived by the report, could be considered to be borne out by the facts of the case. The preamble stated that "Whereas the laws now in force in Ireland have been found inadequate to the prompt and effectual suppression of the said mischiefs." This allegation was said to contain a statement which was at variance with fact, and the report of the Committee; and it was asserted that the laws were adequate to the "prompt and effectual suppression of the mischiefs," including not only "outrages against person and property," but "dangerous associations," which, be it remembered, never formed part of the inquiry undertaken by the Committee; therefore their report could not negative that portion of the preamble, even though it should be found to be at variance with the rest—a thing he utterly denied. The Committee state in their Report "that although it is quite true, as has been stated by the Chief Justice of the King's Bench in his charge to the Grand Jury of the Queen's County, that the ordinary and regular laws had been found sufficient to put down the various Whiteboy associations which have from time to time existed, it is equally true that in every instance every association has made itself complete masters of the county where it has been formed, and committed all kinds of crimes and enormities with impunity for a considerable period before the enforcement of the powers of the law has produced a remedy." Could it be said, after this, that the Report negatived the allegation "that the laws now in force had been found inadequate to the prompt and effectual suppression of the mischiefs?" But the Report proceeded —"In point of fact, although the law has, in general, proved sufficiently strong and effectual for the ultimate suppression of Whiteboy associations, it has not been effectual in affording protection to the public against being exposed to the crimes and atrocities of those conspiracies for a considerable period previous to their being completely repressed." Would any man tell him, after this, that the Report negatived the preamble in its statement, that "the existing laws were not adequate to the prompt and effectual" (those were the two emphatic words), "prompt and effectual suppression of the mischiefs?" No: it could not be pretended that they were. If the Committee thought the existing law adequate for the suppression of the mischief, why did they recommend the Legislature to strengthen the law? If it was then necessary to arm the Government with additional strength, it was now still more necessary to do so. Thus, instead of the preamble being contradicted, it was fully borne out and strengthened by the authority referred to by the hon. and learned member for Dublin.

Mr. *Hume* was greatly surprised that any person could for a moment consider the preamble substantiated by the Report. As to what had been said about these outrages being carried on with impunity for a long time before the laws could have their due effect in suppressing them, whose fault was this—who were to blame for this long impunity for crime? Why, the Magistracy and the Government themselves. Indeed, he himself considered the Report conveyed a censure on the Magistrates and Government, for their indolence and inactivity. He denied that the Report proposed anything like the monstrously atrocious Bill now brought forward. The utmost it recommended was Special Commissions. With respect to the proposed Amendment, he fully concurred with the hon. and learned member for Dublin in protesting against the preamble. The usage of the House, however, was to postpone the agreement to the preamble of any Bill till the various provisions or clauses of that Bill were discussed; then the preamble might be made correspondent to the clauses as agreed to. A preamble could hardly be agreed to, before it were known what the provisions were. He should therefore suggest to that hon. and learned Gentleman to let the preamble be for the present postponed, and for the House to proceed forthwith to the consideration of the different clauses. These being disposed of, the objections to the preamble might be brought forward, and there was no one more inclined to protest against it than he was.

Mr. *O'Connell* reiterated his former assertion that the Report negatived the preamble, but was willing, in conformity with the recommendation of his hon. friend the member for Middlesex, to withdraw his Amendment.

Mr. *Henry Grattan* said, that the six Judges, in their charges to Grand Juries, had completely contradicted the allegations in the preamble; that such "alarm and intimidation" had been created "as materially to impede the due course of public justice, and to frustrate the ordinary modes of criminal prosecution." On the contrary, it appeared, that, in all cases, the fullest evidence had been procured. The individual, for instance, who had murdered the Maddoxes, was hanged at the present Assizes. Was the ordinary mode of criminal prosecution frustrated here? In short, it was a bill got up for the purpose of collecting tithe; and he put the question, with all due respect, to the right hon. Secretary for Ireland, whether such was not really and truly the case?

Mr. *Stanley*, in reply to the hon. member for Meath, had only to repeat what he had distinctly stated on a former occasion,—namely, that it was not the intention of Government to make this Act in any way available for the enforcement of any civil process, whether for the recovery of rent or tithes. He had also stated, that the mere opposition to the payment of tithes would not alone afford a reason for the introduction of this Act into any particular district, but that in cases where it had been introduced, the property of the clergy had as much right to be protected by it as the property of any other individuals, and that protection would be afforded by this Act.

Mr. *James Grattan* had no doubt, after this explanation, that the Act was to be applied to the collection of tithes. He maintained that there was no "conspiracy against the rights of property," with the exception of tithe property; and asked the right hon. Secretary to state what he considered to be the other rights of property that were invaded in Ireland? What did the right hon. Gentleman mean by rights of property? Against tithes, he repeated, there did exist a conspiracy, and if the right hon. Secretary would introduce the word "tithes" into the preamble, he (Mr. James Grattan) should support that part of it, but he never could be brought to affirm, that "property" generally was attacked. Let the House understand the preamble as being (exclusive of its application to public meetings,) solely directed against conspiracies in opposition to tithes, and against nothing else.

Mr. *Stanley:* The hon. Gentleman asked him, "what he considered to be rights of property?" He was perfectly prepared to answer the hon. Gentleman. He considered it to be a right of property that a man should be allowed to let his own land to whom he pleased. He considered it to be a right of property, that a man should be permitted to take his land from whom he pleased. It was a right of property to cultivate land as a man pleased. It was a right of property that a man should be maintained in the safe and secure enjoyment of his dwelling and his land, without being exposed to the incursions of nightly marauders and murderers, terrifying the peaceable inhabitants, burning their houses over their heads, dragging them from their beds, murdering them at their doors, and parading the roads and highways by night and by day, in the commission of every atrocity. Rights of property! Had the hon. Gentleman read the accounts recently received of a murder committed within these few days? A Roman Catholic gentleman had been brutally massacred in the noon-day in the county of Kilkenny, on the borders of Waterford, near the residence of the member for the city of Waterford—that hon. Member who denied the existence of disturbance in his part of the country. This unfortunate gentleman, who was described to be a most inoffensive man, was met on the high road by a party of ruffians, between twelve and one o'clock in the day, in the county mentioned. [A *Member* said, that the murder took place near New Ross, in the county of Waterford.] It mattered not as to the precise spot; he believed the transaction happened at a place on the borders of Kilkenny, Waterford, and Tipperary; but, he repeated, the circumstance was not material. Suffice it to say, the murder was committed on the high road, in the noon-day, on an inoffensive, liberal, and indulgent landlord, without information or assistance being rendered by any. This gentleman was brutally massacred, and after death his head was so beaten with stones, that his features could not be distinguished; and the gig in which he travelled was left standing by the side of the road, as a sign and intimation of the scene of blood to all who passed by. What was this gentleman's offence? He had ventured to eject a tenant two years ago, and was about to put in a distraint for rent on the following day; but, on all hands, it seemed to be admitted that he was a harmless and inoffensive man, and a good landlord. Was this an interference with the rights of property? Let it be observed, that the act for which this unfortunate gentleman had been brutally murdered was a simple enforcement of the payment of rent due, without any features of oppression or harshness; it was no case of tithes. The Act protected the right of every man to the peaceable possession of the highway. "Here," said the right hon. Gentleman, "is a murder openly committed in mid-day, with no cause of provocation except the enforcement of a legal right. Tell me, after this, that with the exception of tithes, there exists no conspiracy against the rights of property, and that murders and outrages such as this may be put down by the ordinary powers of the law."

Mr. *Sheil* said, that he and those by whom he was surrounded fully concurred in the sentiments, feelings, and opinions, manifested by the right hon. Gentleman upon this subject. There was no Gentleman on his side of the House, who did not feel every sentiment of horror and reprobation of such a crime. In this case there had certainly been an invasion of the rights of property, if the facts were really such as had been represented. But the blood of this man was yet fresh. Did this fact, which happened four days ago, justify the allegations in the preamble, which was framed long before? Why was this stratagem made use of—this fact brought forward, just as the House were entering on the threshold of the Bill? Was it not an attempt to excite the feelings of the House, thus in the outset, by an account of some horrible murder? The question was not whether an isolated crime had been committed or not, but whether the allegations set forth in the preamble of this Bill were true or false? He contended that they were false. He was glad to hear the right hon. Secretary repeat that this was not a tithe bill, though he himself (Mr. Sheil) thought it was. He now, therefore, called upon the noble Lord to introduce the clause he had promised when bringing the Bill in, that this Bill should not be applied to the collection of tithe. Referring to the Queen's County Report, the hon. Member said, that the right hon. Secretary for Ireland had only quoted such parts of it as suited his own purposes; that there were others which might have produced quite a different impression. He asked that right hon. Secretary, with every feeling of respect, whether, as far as a judgment could be formed from the Assizes now taking place, he did or did not think, that justice had been fairly, fearlessly, and efficiently administered?

Lord *Althorp* said, that a good deal of confusion had been produced by the different subjects and questions introduced to the notice of the House on this occasion. With respect to the answers of his right hon. friend to the member for Wicklow, his right hon. friend did not mean to apply the case quoted to the particular part of the preamble referred to by the learned member for Tipperary. The hon. member for Wicklow had asked his right hon. friend for some proof of a conspiracy or attack against rights of property, other than those involved in a resistance to tithes; and, in reply to the demand, his right hon. friend stated a case of murder which had no connexion with tithes, but which did involve an attack on another description of property. Doubtless, the preamble was not founded on this case, which had happened since the framing of the Act; but Ministers did found the preamble on the general state of the country —murder being referred to among other crimes—and this recent instance of murder showed that the state of the country remained the same as it was when the Bill was framed; consequently, that the provisions then called for were still necessary. He had stated before, and he now stated again, that it was not the intention of Ministers to use the Bill for the collection of tithes; but if Gentlemen supposed him to have said (what he never did say) that this Bill was not to be used to prevent outrages and crimes committed or produced by resistance to tithes, as well as to repress crime and outrage in general, they were very much mistaken. The Bill was for the protection of the peaceable, and the suppression of crime; and if crime were produced by resistance to tithes, that, as well as every other species of crime, must be put down. With respect to the Assizes now in progress, if he were not misinformed, though there might have been some convictions for offences described in the Bill at the Assizes, the outrages were still continued, and it could not be affirmed that the Assizes had been successful in the repression of crime.

Mr. *O'Connell* said, there appeared to be two questions in discussion; one of which was whether this was or not a tithe bill. He most decidedly considered it such himself; it certainly embraced some other objects; but these were but mere marginal notes. The real text and body of the Bill constituted it essentially a tithe bill; it was altogether directed "against tumultuous meetings, or assemblies of evil-disposed persons," whose evil dispositions were wholly directed against the payment of tithe. He declared positively, that no case could be found in which a Special Commission had failed to restore order. When such a case was alleged, he would undertake to demonstrate its incorrectness.

Mr. *Shaw* must say a few words in answer to the hon. and learned member for Tipperary (Mr. Sheil), both in respect of the barbarous murder alluded to by the right hon. Secretary being a part of the system of outrage and combination against the laws then prevalent in Ireland, and as to the cessation of disturbance which the hon. and learned Gentleman described as having taken place in some parts of that country. He (Mr. Shaw) had that morning received a letter from a most respectable gentleman, a particular friend of his own, written from almost the spot where the murder of Mr. Leonard occurred. The letter stated—"I have since been present at the inquest, and it appears that he was murdered by three persons, a blunderbuss having been fired at him; but it is manifest that he received no gun-shot wound. It appears that he was walking up the hill beside his pony, which drew his gig, when he was assailed—they laid his head, it appears, upon the stones, on top of a low wall just by, and literally beat his head as a smith strikes on his anvil, until they battered in his skull; they also broke his right arm, and with a sharp instrument cut off his left ear. The deliberation with which they proceeded made it manifest that they knew no evidence dared to appear against them. The place where he was murdered was on the bounds of his own property, situated about two miles and a half from New Ross, in a hollow or valley surrounded by thickly-inhabited hills, with the public road leading down to, and in view of, the point where he was murdered. The people were all at work, and it is impossible but that almost every one in the neighbourhood must have been aware of it. It was perpetrated at two o'clock yesterday on the Waterford road." Now, did that case prove no system of intimidation? Was that a state of things which could be permitted to endure? The hon. and learned member for Dublin talked to them of putting down the law, but the fact was, that in the disturbed districts of Ireland, the law was already put down. It had been prostrated by turbulence and outrage—it cried to parliament to stretch forth a more than ordinary strength and power to raise it to its due authority; and if that was not within their constitutional functions, then law and Constitution, peace and prosperity, were at an end in that unhappy portion of his Majesty's dominions. Then it was said, that tranquillity had been restored in many parts of Ireland. The truth was, there was an object in having that impression made, and the edict had issued for peace—but it was the hollow and uncertain sound of peace, where really there was no peace. This was well described lately in the charge of a learned Judge, who had been spoken of in recent debates with much unmerited disrespect —he meant Baron Smith—a Judge whom the Gentlemen that now censured him used to laud as one who, when a politician, was remarkable for his liberality—and as a Judge, for the extreme lenity and kindness of his judgments. That distinguished man was as much above his praise as he was above the abuse of those who had maligned him. His allusion to the deceitful calm of agitation was the following:—'Accordingly, when the facti-'ous enjoin tranquillity, I understand the 'drift, and do not doubt the sincerity 'of the injunction. Duly interpreted it is 'this: "Do not, by premature explosion, 'suffer the formidable extent and mischief 'of your revolutionary objects to transpire. 'In doing so you will defeat them, detect 'the ambuscade, and frustrate half the 'plans of us, your whole-length leaders. 'If your intentions be thus noised, the 'constituted authorities will no longer 'slumber—they will encounter your daring 'projects, and perhaps may not be quite 'too late to check your pride." Why must this be a true interpretation of their injunctions? Because the House must otherwise suppose them intent on extinguishing a conflagration, which their every act, and every breath, was contributing to promote. They had a specimen of Irish peace-making in Mr. Steele the pacificator. He enjoined peace to the people he addressed, as they loved Mr. O'Connell; but at the same time he told them, that if Mr. O'Connell desired it, he was ready to lead them on to rebellion and to help them to cut down pike handles for the purpose. The *Pilot* newspaper extolled "the powerful and enthusiastic exertions" of this same Mr. Steele—and stated, that "he went to see some prisoners in Kilkenny gaol, who promised to use all their influence with their fellow-prisoners and friends to have the object of Mr. O'Connell achieved in the perfect pacification of their county." That really was insulting the understanding—at the same time that it afforded no security for property or life. Was it to be tolerated that these were to be held at the mercy of a seditious maniac, and the felons and culprits of a gaol? Towards the hon. and learned Gentleman the member for Dublin, he entertained no personal ill will; and if he thought that the hon and learned Gentleman was, as he said, really to be oppressed, he would defend him as sincerely as his warmest admirer; but he would tell that hon. and learned Gentleman, that while he had life, and the spirit of independence, he never would consent that his peace and security should depend upon the capricious or interested mandates of the hon. and learned Gentleman, who surely, was at least as powerful for evil as for good; and if his breath could create peace, it could as easily disturb it. With respect to the Special Commissions which the hon. Member spoke of, the simple answer to him on that subject was, that a Special Commission for Kilkenny must have been absurd, when the ordinary Assizes failed in their functions. Trial by Jury was very truly described by the hon. and learned Member as the bulwark of our liberties; but that was in its use, and not in its abuse. Talk to him of Trial by Jury—when a Juror must consider the verdict he had to give under terror for his property and life. Why in Kilkenny, the names of three of the Jurors known to be favourable to conviction were placarded under the title of "blood" before they had left the Jury-box, and were afterwards driven from the country. Let them not then be mocked with the mere names of "law and liberty," where in reality no law existed; and without it there could be no real and rational liberty.

Mr. *O'Connell* doubted whether it were becoming in a Judge of the land to express the sentiments just delivered by the learned Recorder. He had called a man who was under trial, a seditious maniac. The question of sedition was for the Jury to decide, and it was premature in a Judge to deliver such an opinion. With respect to the Juries of Kilkenny being intimidated, the learned Recorder had alluded to the Carrickshaugh trial; but the day after that acquittal, four Whitefeet were convicted of murder, and three were executed. The hon. and learned Member entered into an explanation of all the circumstances of the Carrickshaugh trial, showing that the men were acquitted because their identity could not be proved, and because the police, who were the witnesses against them, contradicted themselves. He added, that one of the men so tried was a most humane man, having assisted the wounded and carried some of those who were unable to walk. The learned Recorder spoke of a system which led to outrage in Ireland. Yes, there was a system, the offspring of that remnant of a party which had been defeated in Ireland. They nourished a most embittered spirit, and took care there should be no peace. They were men with souls of lead, hearts of stone, and fangs of iron. Their domination in the country, which they had maintained by unjust laws, would not allow the country to have peace. With respect to Baron Smith's charge, that was a political dissertation, and it was not decent in a Judge to deliver a political dissertation on subjects not to come before the Grand Jury. A political Judge was a bad Judge. In the county of Armagh, where that charge was delivered, there was not one offence in the calendar of the kind alluded to by the learned Judge. There were some offences which had been traversed from the last Assizes. Baron Smith, it had been said, who was elevated to the Bench, as a young man, obtained that place by his father's political conduct at the Union. He hoped it was not true, he did not believe it—that another arrangement was going on, by which the Baron was to be succeeded by his son. He hoped that was not true; but if it were, they were likely to have many more political dissertations. What would be thought in England of a Judge, when there was no person accused of a particular crime, but some who had traversed from the last Old Bailey Sessions, who should direct his charge wholly to the Petty Jury? Why, such a Judge in England would not be left an hour upon the Bench. The learned Recorder had referred to a murder; it was an atrocious act—an atrocious murder—but it was not connected with tithes. But were there no crimes committed except in Wexford? Were there no crimes elsewhere? Was it in Wexford where a poor child was seduced from its parents' door for a purpose too infamous to be named? Was it amongst the barbarians of that county that such a boy's brains were beat out, and he was drowned in a canal? And was there no justice in the country where this happened, because the crime and the witness were buried in the same grave? Why, then, did they not pass a Bill establishing Courts-martial in the country where this was perpetrated.

Mr. *O'Ferrall* said, that he agreed with the hon. member for Middlesex, that this was not the time to discuss the preamble, and he recommended that the discussion be postponed. The recommendation of the Committee, of which so much had been said, had not been adopted by the right hon. Gentleman; if it had, there would now, he believed, have been peace in Ireland. He did not deny, that as those measures had not been adopted, other measures were now necessary; and he for one should be ready to agree to such measures as would strengthen the hands of the Government to put an end to the present atrocious system of outrage and murder. Let the Government, however, satisfy the House that those atrocities could not be put down without such a violent breach of the Constitution. He wished that demonstrated before he gave his assent to the measure.

Mr. *Shaw:* If I was a Judge of the land (and I am not) I apprehend my testimony in reference to a transaction with which I am personally unconnected, would be as little liable to suspicion as that of the feed advocate of the prisoners—but I omitted to mention this additional circumstance as to the Carrickshaugh trials—that a gentleman whom I saw yesterday reminded me, that a fortnight before those trials, he (who was then resident in that neighbourhood) wrote me word that no conviction could take place, as intimidation was so universal as to prevent any respectable Jurors from attending, and two Jurors told the Judge in Court, that they dared not serve and give honest verdicts. The result was, that the prisoners had to be enlarged, and the country has been since in a state of insubordination. Bonfires, previously prepared, carried the intelligence of the acquittal along a line of nearly twenty miles. A Magistrate of the county has sent me a statement of twenty-three Jurors having been attacked within the last few months [*call of Name*]. I can only say, that I am personally acquainted with the Magistrate and his character, and that I place the fullest reliance on his assertion; but I will not name him—for the hon. member for Kilkenny well knows, that if I did his life would not be safe [*No, no*]. It is easy for hon. Members to cry "No, no." They objected to the evidence of Judges, of Magistrates, of Lord-lieutenants, of police, as all being interested and prejudiced; but is there no prejudice or interest on the other side? when, if agitation had not existed, and society been disturbed in their own counties, these hon. Members would not be here to deny it—and, forsooth, those who represent the sentiments and enjoy the confidence of the gentry, who have been displaced from their natural position in their own counties, are not even to be permitted to communicate the feelings of that gentry to the House. It came ill from the hon. and learned member for Dublin to make accusations of parties and of violence. I have never even belonged to a political association or society in my life, while the hon. and learned Member has spent his in factious agitation, and I verily believe would rather die than live without it

Mr. *O'Connell*, in explanation, said, he had been accustomed to have his motives calumniated, and his life maligned. He had been an agitator—a successful agitator—*hinc illæ lachrymæ*—successful against that faction with which the hon. and learned Gentleman was connected, though he declaimed against it. What raised him to the judgment seat in the second year [*no!*], the third [*no, no!*], the fourth [*no, no!*], the fifth year—he certainly had not reached the sixth year of his apprenticeship to the Bar, before his merits were discovered? He admitted that when the hon. and learned Gentleman's merits were discovered, they deserved the high distinction; but before they were known, what was it that left the rest of the Bar no chance of competing with the hon. and learned Gentleman? What, indeed, but the interest of that faction? He blamed the hon. and learned Gentleman, because he had called his clients at Kilkenny murderers, after their acquittal. The hon. and learned Gentleman came forward with a red box of his own, and disinterred his anonymous information as a guide to the Legislature. He told the House of this Magistrate, and that Gentleman; but why did he not give his information to the Government? If the hon. and learned Gentleman declined to state the names of his informants to the House, why did he ask the House to legislate on anonymous information? Why did he not give dates and names? He repeated the stories, but threw the shield of his protection over the writers. Who asked him for these details? Was the House to legislate on the information of a volunteer Attorney General? Was the hon. Member, an unpaid prosecutor, to usurp the functions of Government? The hon. and learned Gentleman had alluded to Members who had been sent to the House by agitation; but Kerry, Meath, and Cork, were all peaceable and tranquil. The Representatives of those counties would never find their way to the Treasury; and they dreaded no other calumny but that of recording their votes against their country.

Mr. *Morgan O'Connell* rose only to make one observation. The hon. and learned Member had called Mr. Steele a seditious maniac. He gave that assertion a most direct and unqualified contradiction.

Mr. *Finn* blamed the Magistrates of Kilkenny for the disturbances which had occurred in that county; and contended that they would not have taken place, if the Magistrates had done their duty.

Mr. *Lambert* said, that if he was meant by the hon. Member as one of the persons who had got into Parliament by agitation, he threw back the calumny with contempt. He was anxious to withdraw any term violating the rules of the House; but within those rules there was no language too strong to express the contempt with which he regarded the assertion of the hon. Member. He (Mr. Lambert) had obtained his seat by no undue influence; he had not been borne into the House, like others, upon the wings of faction; nor did he owe his seat, as that very hon. Member did, to factious agitation, more unwarrantable than that employed in any other county of Ireland. The hon. member for Wicklow had argued that this Bill was intended to facilitate the collection of tithes, and his argument was so forcible and direct, that nothing but a plain negative could overturn it. Ministers had declined negativing the assertion; they had, indeed, entered into explanations, and evaded a direct answer in such a manner, that there was no gentleman who must not be convinced that the collection of tithes was the real object. The hon. Secretary for Ireland acknowledged that he put decrees for the recovery of tithes into the hands of the police. Now this Bill authorised them to break open any house—and was it to be imagined that the decree would not then be executed? If, by such proceedings, it was hoped to check agitation, Ministers were utterly mistaken. A course so odious would defeat itself; for, though public agitation might be prevented, private could not; and individuals would meet to discuss their wrongs.

Mr. O'Connell would not press his Amendment.

Mr. *Thomas Attwood* said, that the hon. and learned Member (Mr. Shaw) had detailed a case of murder with great pathos. Now, he wished that some hon. Gentleman on the opposite side, would show what greater security against murder the Bill provided than existed at present.

Amendment withdrawn.

The Chairman of the Committee then put the question, "That the preamble be postponed;" upon which

Mr. *Buckingham* rose, but was received with such coughing and cries of "question!" that he was compelled to resume his seat.

Mr. *Hume* asked, was that to be the conduct of Gentlemen on the Treasury Bench—that the reception of a Member who wished to express his opinions? He was as anxious to get rid of the Bill as any other individual, but he protested against such indecorous behaviour. The cry of Order came with a bad grace from persons who refused an hon. Member a patient hearing. The mode of that Gentleman's reception was very improper; and should it be persisted in, he (Mr. Hume) would propose that the Chairman do quit the Chair, and ask leave to report progress.

Mr. *Buckingham* objected to a postponement of the preamble, because it formed the foundation of the Bill; and the truth or falsehood of it formed a most important question, inasmuch as all the consequences of the Bill depended on that.

The Preamble postponed.

Upon the first Clause being read,

Mr. *O'Connell* proposed, that after the word "order," in the fourth line, there should be introduced these words, "with the consent and authority (delivered in writing) of the Judges of the King's Bench in Ireland, or any two of them." His object was, to take from the Lord Lieutenant the power of suppressing any meeting whatever, without the sanction of at least judicial men, acquainted with the law, and responsible to Parliament. As the Bill stood, the Lord-lieutenant could suppress any meeting, civil, corporate, political, or religious, without oath, suggestion, or insinuation, from any person, of an evil intention entertained by the meeting. The law of Ireland was the Lord-lieutenant's declaration; *Sic volo, sic jubeo; stat pro ratione voluntas.* Nay, even that was not necessary. As tyranny was no less ludicrous in some of its expressions than it was openly cruel in others, he should not be surprised if the most ordinary meetings of pleasure—even hunting meetings, should be suppressed. This clause, which passed the other House in such breathless haste, which received the approbation of the Whigs, the hereditary defenders of liberty had, in fact, no limit whatever.

Mr. *Stanley* had heard the hon. and learned Member with extreme surprise, whether he considered his character as a lawyer, or his recent declamations against political Judges. The frequent protests entered by the hon. and learned Member against such persons—the anxious wishes expressed by him that Judges should avow no political predilections, and that the purity of the legal Bench should remain unsullied in the eyes of the people, contrasted most strangely with this Amendment. He did not, however, wonder at the hon. Member's hostility to the clause. The Bill had been drawn up in conformity with the suggestions of experience, and exactly resembled that for which the hon. member for Meath said, he would have willingly voted. It conferred strong powers on the Executive—of that there could be no doubt—but the powers were necessary, and in conferring them, the greatest care was taken to guard against the slightest confusion of the Judicial and Executive Powers. The Union of these Powers in one hand was most dangerous and unconstitutional, and it should be the first care of Parliament to keep them strictly separate. How injurious would it not be to convert the Judges from legal into political characters? How gross and unjust that they should (for the case might happen) try persons who had attended the very meetings they had previously declared to be illegal? It might occur that the hon. and learned Gentleman himself, after running a round of evasions, and shifts, and devices—of the same public meetings, convened several times successively under the pretext of adjournment—of coffee breakfasts—of convivial meetings—and even charity dinners—should he have, as he had before, an indictment at length framed against him from which he could not escape, he would no doubt declaim loudly even against the amended clause, but sober, rational persons would rejoice that the career of agitation should be stopped. The Lord-lieutenant was not irresponsible—he was amenable to Parliament. In conclusion, he (Mr. Stanley) repeated, that the mixture of the Executive and Judicial Powers was one hundred fold more dangerous than that conferred on the Lord-lieutenant.

Mr. *O'Connell* was quite delighted at hearing the observations of the right hon. Gentleman. He had asserted, that the Bill was a copy of the former one—it was no such thing; it contained an additional grievance and an additional deprivation of right, for the disobeying a Lord-lieutenant's proclamation was made by it a misdemeanour. The hon. Gentleman had not framed an indictment from which he (Mr. O'Connell) could not escape; for he was charged with disobeying a Proclamation. Upon that charge he met the Government. The Irish Lord Chancellor acknowledged that the indictment could not be sustained; and the fact was further proved by the right hon. Secretary's having introduced into this Bill the clause already mentioned. The next assertion made by the right hon. Gentleman, that charity dinners had been converted into political meetings, he distinctly denied. It was his wish—considering the sacred nature of the subject—to contradict the calumny in the most emphatic manner. Charity dinners had not been turned to those purposes; they were established for far other objects; and the amount of good rendered by them was immense. Thousands of orphan children were supported by this sort of voluntary subscription; they depended on the receipts of the dinners, and had no other species of fund whatever. Were those the institutions denounced by the right hon. Gentleman? Was this his pacification of Ireland? Did he call it peace and order, when he had succeeded in starving the orphans? He would ask, did not the right hon. Secretary destroy those dinners by anticipation, and cut off the resources upon which so many thousands of orphans depended? The right hon. Gentleman had dwelt much on the danger of mixing the Judicial and Executive functions; but did he not mix altogether the Legislative and Executive? Which did he deem more dangerous? He who spoke of the Judges in strains of eulogy, and was eager to guard them from any degradation, or he who turned the Judge off the Bench, and thrust him aside for a set of beardless boys? Why did the right hon. Gentleman venture to talk of the Constitution? Would he have done so, had he not been sure of a majority to cheer any assertion he might make? If he trampled upon the Constitution, and trod it into the earth, was it necessary to insult the House, by talking of the Constitution? With what front did they dare to talk of the Constitution who had strangled it? Would not the Bill of that night be flung into their teeth on every future occasion, and be made a perpetual taunt against the Whigs? Their general declarations would avail nothing, or be regarded only as the artifices employed by the assassin until he could whet the knife for his victim. The right hon. Secretary had mistaken him—he objected only to Judges interfering extra-judicially in cases not legally before them. But what could be more ludicrous than his objection—that the Judges who had pronounced the illegality of a meeting might afterwards have to try the prisoners? Could not those Judges be set aside? Two were required, and their names would be known.

Mr. *Perrin* objected to confounding in this manner the Legislative and Executive powers; but he would not deny, that a strong case had been made out against the associations, some of which had been named. Perhaps, however, they might be suppressed by the common law. Dangerous they certainly were; but he would share the odium and responsibility of suppressing them, if they should not be at present unlawful. In his opinion, it was more dangerous to grant the proposed powers to the Judges; and the course he should consequently recommend was, that the Lord-lieutenant should be empowered at once to disperse any meeting previously declared illegal.

Lord *Althorp* opposed the Amendment. Instead of operating to mitigate the evils of Ireland, it was calculated to aggravate them. He admitted that it was a great evil to go beyond the Constitution, and trust such arbitrary powers in the hands of an individual. But what were they to do? If they were to attempt to define what should be an illegal meeting, they might use all the ingenuity possible, but there would still be counter ingenuity sufficient to enable the parties against whom it was directed to evade it. They were, indeed, but little aware of the difficulty of defining an illegal meeting so as to prevent evasion; and the only alternative which they had left was to give the Lord-lieutenant the power of deciding what meetings were illegal, and to prohibit them accordingly. The only experiment which had ever been made of this last course had succeeded, and the only question was, whether they should confer this power upon the Lord-lieutenant, or legislate at the risk of evasion and defeat?

Colonel *Davies* looked to this clause with great alarm, because it vested an arbitrary power in the hands of the Lord-lieutenant.

Mr. *Peter* said, that the Lord-lieutenant was responsible for the manner in which he exercised his power. The real question to be decided by the House was this—whether the danger to be apprehended from the agitation and outrage now prevailing in Ireland, was or was not greater than any danger that could result to the country from intrusting these increased powers to the Lord-lieutenant for the purpose of suppressing the evil? No man was more opposed than he (Mr. Peter) was to the existence of all unnecessary power whereever vested, whether in the hand of one or many.

Mr. *O'Connell* said, it was melancholy to hear a legislator about to legislate for Ireland in such deplorable ignorance of the true state of the case. Why, this part of the Bill did not relate to outrages, but to the suppression of meetings and associations.

Mr. *Peter:* But the former are likely to be the consequences of the latter. He must appeal to the House, whether he had given the hon. and learned member for Dublin any just cause for the language which he had employed towards him.

Mr. *O'Connell:* Hon. Members might cheer at such arguments; but they should remember, that it was a question of slavery or liberty with Ireland. Wherever outrages existed, the Lord Mayor could proclaim with the assistance of the Privy Council. But this clause did not at all relate to such situations. This clause applied to Clare, to Meath, to King's County, to Dublin — to various places where no outrages existed. He loved the horror of public meetings—the detestation of agitation — that had lately become fashionable in that House. He liked the maidenly modesty with which agitation was denounced by those very men who owed their seats to it. The very Ministers themselves, who joined in the cry—would they have been where they are but for the exertions of the Birmingham, London, and other Unions? It was objected that the effect of this Amendment was to unite the legislative with the Executive. But did the noble Lord and the right hon. Gentleman recollect who made Lord Ellenborough a Chief Justice and a Privy Councillor at the same time.

Mr. *Stanley*: That is the usual practice.

Mr. *O'Connell*: Ay; but who made him a Cabinet Minister?

Mr. *Stanley*: But you did not say so. As to a Cabinet Minister, he could only say, if he had been a Minister at the time, he should not have supported the appointment. What he rose for was, principally to ask whether it was to be endured that such language should be used as had been used by the hon. and learned member for Dublin towards the hon. Gentleman behind him? Was it to be endured, that an English county Member was to have a charge brought against him of manifesting deplorable ignorance; and that, too, by a Gentleman who confounded the functions of Privy Councillor and Cabinet Minister? Such language might be adapted to the Volunteers of Ireland—it might be adapted to those out of doors on whom the hon. and learned Member wasted so much of his time and his talents; but it was not consistent with parliamentary practice—it was not consistent with the decorum which ought to be preserved in that House. The question was very fairly stated by the hon. Member behind him. It was, whether they had better suspend the Constitution, and vest arbitrary and extraordinary powers in the hands of the Lord-lieutenant for the purpose of suppressing outrage and agitation, or whether this outrage and agitation should be permitted to continue till it had attained a power equally unconstitutional, but which would not be used for so beneficial a purpose?

Mr. *Hume* expressed his surprise at the warmth of manner and language of the right hon. Gentleman. He had really hoped, that, whilst he was complaining of the conduct of the hon. and learned member for Dublin, the right hon. Gentleman would at least have exhibited a specimen of the manner in which Members should conduct themselves. His object in rising was to deprecate the conduct of the right hon. Gentleman in making every subject of discussion a personal matter between himself and the hon. and learned member for Dublin. What right had the right hon. Gentleman to taunt his hon. and learned friend with the Volunteer association? What right had he to refer to speeches made out of that House? The right hon. Gentleman really suffered the influence of personal pique to appear too strongly. He hoped the right hon. Gentleman would confine himself to what took place within the walls of that House, and not deviate from the rules by adverting to what took place elsewhere. Whilst on the one hand he was not prepared to defend the expressions of the hon. and learned member for Dublin, so, on the other, he thought it highly unworthy on the part of any person who took upon himself the task of correction, more especially a Cabinet Minister, to exhibit such rancour towards any Member of that House.

An *Hon. Member* behind the Treasury Benches condemned the conduct of the hon. and learned member for Dublin. He never heard more violent or personal language than was used by that Gentleman, which seemed to be, in some measure, echoed by the hon. member for Middlesex, who, however, still admitted that his friend was wrong. This reminded him of an apologue which he remembered to have read. It was this:—A philosopher had entered into an alliance with an animal; the philosopher laid down to sleep in a garden, but was tormented by gnats; the beast, wishing faithfully to fulfil his promise, struck the gnat off with his paw, but in doing so, broke the philosopher's head. He would not say what the animal was, but, for fear of misconstruction, he would observe, that the courteous demeanour of the hon. member for Middlesex as little warranted the comparison of his external appearance to a bear, as his internal feelings entitled him to be compared to the philosopher.

Viscount *Palmerston* had never heard more uncalled-for observations than those made by the hon. member for Middlesex on his right hon. friend. So far from throwing out anything in anger, he had only come to the defence of an hon. Member from the uncalled-for attack of the hon. and learned Gentlemen. The hon. member for Middlesex thought it improper to advert to anything but what had taken place in that House, and that they should abstract their attention from anything which had occurred in Ireland. That might be a convenient doctrine for the hon. and learned member for Dublin, and for the hon. member for Middlesex; but the House, in discussing Irish subjects, would not be likely to comply with the recommendation of the hon. Member. He hoped the House would now direct its attention to the clause under consideration, and that there would be no other attempt made to add fuel to the fire.

Mr. *O'Connell* said, the right hon. Gentleman was right in saying, that he ought to have said " Cabinet Minister " when he said " Privy Councillor." The right hon. Gentleman, however, who was so exceedingly particular, had not hesitated to elevate Bodmin into a county.

Mr. *Sheil* said, the noble Lord opposite (Palmerston) was such an admirable pacificator on all occasions, that he was not surprised at the position which he took. He hoped that his laudable endeavours would be crowned with success, by effecting a conciliation between the two belligerent powers. He could not give the right hon. Gentleman credit for sincerity in his defence of the hon. member for Bodmin. He looked upon it as a sort of official indignation, used for the purpose of leading the House astray from the main question. It was said, they ought not to combine the legislative with the Executive. Why, this was what the Act itself did. It combined these two powers; for it called on two Justices of the Peace to disperse any meeting objected to by the Lord-lieutenant, and afterwards enabled them to act in a summary manner towards all offenders. The House must not suppose, that offences under this clause were to be tried by the Court of King's-bench; one, at least, of these offences was to be tried before a Justice of the Peace. There was no exception either of charitable meetings. In the Act which passed in 1819, there was this exception. Hundreds of orphans might, in consequence, be deprived of bread, or the means of education. He hoped the House would, at least, provide against the enormous abuses to which the powers given by the Act were at present liable.

Mr. *O'Dwyer* said, they were about to deprive the people of Ireland of the protection of law, and transfer them to the power of unmitigated despotism, or at least to despotism mitigated only by the personal character of the man who, for the time being, was Lord-lieutenant. He would be the last man to say anything against the character or humanity of the noble Marquess who now held that situation; but what, he asked, might be the consequences of this Bill, when such a man as Lord Anglesey could make the statement which he had made to the hon. member for Cork? He gave as his definition of an illegal meeting—a meeting calculated to alarm the nerves of any man, and that such a meeting ought to be put down. The question, then, of the permission to hold these meetings depended not upon their tending to disturb the public peace, but precisely upon the quality of the nerves or *physique* of the individual who, for the time, acted as Lord-lieutenant. He complained that Lord Miltown had been deprived of the commission of the peace for joining the Volunteers of Ireland. But had Lord Wicklow or Lord Forbes been deprived of their official situations for joining Conservative societies? No; and this was a specimen of the impartiality which they were to expect in the administration of the laws.

The Amendment negatived.

Mr. *H. Grattan* moved, as an Amendment to the first clause, "That it shall and may be lawful for the Lord-lieutenant, or other Chief Governor or Governors of Ireland, at any time after the passing of this Act, and from time to time during the continuance thereof, as occasion may require, by his or their order, to prohibit or suppress the meeting of any association, assembly, or body of persons in Ireland, which he or they shall deem to be dangerous to the public peace or safety," &c. the insertion of the words, "by and with the advice of his Majesty's Privy Council for Ireland specially summoned for that purpose."

This Amendment was withdrawn

Colonel *Davies* proposed the insertion of the words, "in any part of Ireland proclaimed according to the provisions of this Act."

Mr. *Stanley* objected to the Amendment, on the ground that its effect would be the tempting—in fact forcing—the Lord-lieutenant to proclaim a district which was not actually in a state of disturbance. The main object of the Bill was, the suppression of those agitation schemes which were the chief source of the disturbances in Ireland. Now, the grand focus of this mischievous agitation was the city of Dublin, which was wholly free from disturbance; so that, if the gallant Member's Amendment were adopted, the Lord-lieutenant would be forced to proclaim that city—that is, prevent its peaceable inhabitants from being out of their houses after sunset and before sunrise. Hon. Members should recollect, that the Lord-lieutenant would be invested with three powers, each distinct from the other—one for dispersing and prohibiting meetings tending to a breach of the peace, another for proclaiming a district, and a third for the establishing of Courts-martial. These three were not connected with each other, and it by no means followed, that where a district was proclaimed, that Courts-martial should be also established there. Then, Ministers were prepared to make an alteration in the clause which would have the effect of removing all purely political offences, in even a proclaimed district, altogether from the cognizance of a military tribunal, leaving them to be dealt with by the ordinary civil jurisdiction.

Mr. *O'Connell* begged the right hon. Gentleman to bear in mind, that if, on the one hand, the Lord-lieutenant would be forced by the Amendment to proclaim an undisturbed district, the inhabitants of those undisturbed districts might be, on the other hand, forced by the clause as it stood to follow the course pursued in the disturbed ones, seeing that their peaceable conduct did not insure them an exemption from despotism. The admission of the right hon. Gentleman, that the focus of agitation was perfectly free from disturbance, was a pretty comment on the Bill, and the unfounded assertions of its framers and supporters, which identified agitation with disturbance.

Mr. *Beaumont* would support the clause as it stood, because he conceived it necessary to putting down that Whitefoot agitation which was the curse of Ireland. It was not against the mere midnight predial marauders—the mere physical Whitefeet, that the energies of a Reformed Parliament should be directed, but against the Whitefeet agitators—the intellectual marauders—who were the sole cause of the unhappy state of that country. It would be unjust to the predial Whitefeet to confound them with the political Whitefeet.

Mr. *O'Connell* felt, that the malignity of the hon. Gentleman's charge carried its antidote in its folly. Those whom the hon. Gentleman had presumed to call "marauders" were his equals in every conventional qualification—not to say any thing touching endowments, natural or acquired. The attack of the hon. Member was as uncalled for as it was absurd and unfounded.

Mr. *Edward Buller* thought, that the Government was only taking wise and proper precautions. He would, therefore, support the Ministers and oppose the Amendment.

Mr. *Lambert*: although he by no means approved of the powers of the Bill, and, indeed, considered them highly unconstitutional, was nevertheless convinced, that political agitation, with its many heads, had arrived at a height in Ireland utterly incompatible with the preservation of social order, and really did not see how the evil could be put an end to, without some measure of extraordinary severity. He had thus stated his reasons for voting in favour of the Bill, in order that he might not be subject to unjust imputations.

Mr. *Christmas* would vote against the Amendment. Agitation in Ireland had, within the last two years, been kept up to an enormous height, and for no good purpose. In his opinion, it was necessary to suppress the agitation, whatever means might be employed.

Mr. *O'Connell* wished to know where the hon. Member for the county of Wexford would have been but for political agitation? Not member for the county of Wexford, certainly. He did not allude to the last, or the preceding election. What he meant was this. Was not the hon. member for Wexford of the same religion as he (Mr. O'Connell)? Could he have been a Member of Parliament, had it not been for the Emancipation, which was caused by political agitation? And now the hon. Gentleman, who had been so much benefited by political agitation, threw out his taunts against those to whom he was indebted for the advantage.

Mr. *Lambert* denied, that he was returned to that House by agitation; and reminded the hon. and learned member for Dublin of the time when, thinking that he was devoting his splendid talents to the cause of his country, he (Mr. Lambert) had stood by that hon. and learned Gentleman when he was deserted by other friends. Was it because he approved of that wholesome agitation which had produced Catholic Emancipation, that he should not wish to put down a species and extent of agitation incompatible with good Government?

Mr. *Montague Chapman* opposed the Amendment. It would be liable, he was afraid, to bring disturbance into counties previously peaceful, by restraining the Government from putting down dangerous associations. It would, therefore, be an evil, as it would compel the Government to have recourse to severer measures than the mere suppression of a dangerous association.

Mr. *Dominick Browne* stated, that political intimidation was spreading throughout Ireland; and that if it were allowed to go on, the consequences would be of the most serious description. In the county which he had the honour to represent (Mayo), although there had been no murders, political intimidation was making daily progress. No one, who had voted for himself or his hon. colleague at the late election, could go into any market in the county without being hooted out of it. For a short time after the election, that might have been pardonable, but it had lasted down to the present time. At a former election, a Catholic bishop, a man of great eminence, Dr. M'Hale, had fairly told him, that no man who was not the creature of the popular voice ought to represent the county; because, such a man they could easily turn out, but they could not turn out a man who was supported by the gentry. Such was the general spirit in Ireland. He felt it his duty to support the Bill.

Mr. *O'Connell* declared, that he had been informed upon good authority, that of Sir William Brabazon, that the most virulent persecution in the county of Mayo was on the side of the hon. Member. There was not a more accomplished scholar or a more distinguished man than Dr. M'Hale; and he had never done an act more essential to the welfare of Ireland than in supporting the 40*s*. freeholders.

Amendment negatived.

Mr. *O'Connell* observed, that it was half past twelve o'clock, and that they had been at it ever since five o'clock; nay, with very little intermission, since twelve o'clock at noon. Under such circumstances, the attention of the House could not be adequately bestowed on the important subject before them. He would, therefore, move, that the Chairman should report progress, and ask leave to sit again.

Mr. Ruthven wished that the House adjourn.

Mr. *O'Connell* put it to the House whether the Irish Members were to be allowed an opportunity of defending themselves? He had an Amendment to propose to the clause, but at that late hour he was unwilling to commence a fresh discussion.

Mr. *Goring* thought it was too bad that the whole business of the House should be stopped, because the hon. and learned Member had exhausted himself by attending a political union that morning.

Mr. *O'Connell* denied that he had shown any symptoms of exhaustion, and said that he little expected such a species of attack to be made upon him by one who boasted that he was a Representative of the people. He did not believe, that the hon. Member represented the good feeling of the people of this country when he attempted to stifle the full discussion of a Bill, the purpose of which was to establish despotism in Ireland. He was quite ready to go on with the discussion himself, but he thought the hour had arrived when the Chairman should report progress. It was true he had attended a meeting at Lambeth that day, and he might probably on a future occasion meet the hon. Member's constituents at Shoreham. If he did, he would advise the hon. Member to face him there.

Lord *Althorp* thought it unreasonable in the hon. and learned Member to ask the Chairman to report progress before the clause under consideration was disposed of.

Mr. *Maurice O'Connell* accused the hon. member for Shoreham (Mr. Goring) with having been guilty of needless and uncalled-for personality towards the hon. and learned member for Dublin but he advised the hon. Member to look to himself, or he might subject himself to a similar personal attack.

Mr. *Goring* said, that the hon. and learned member had himself admitted twenty times, in the course of that night, that he was exhausted. With respect to personal attacks, he put it to the House, whether the hon. and learned Member had not launched out into personalities against every Member who differed from him, and endeavoured to browbeat him for uttering his opinions. He had told those Irish Members whom he called liberal, that they would not sit in that House again unless they acted as he wished, and the hon. and learned Member now threatened him. But he could tell the hon. and learned Member that the people of this country felt that the meaning of his violence and threats was this—that he alone should be the person to bring forward remedial measures, and that, unless he was consulted, and his opinions adopted, he would subvert the empire by the aid of his deluded countrymen.

Mr. *Bonham Carter* said, that he understood the object of the noble Lord (Lord Althorp) was to have the clause read, in order to enable him to move the Amendment, which he had already described to the House, adopted *pro formâ*. The discussion on the clause so amended would take place on the next day of the Committee's sitting.

Mr. *O'Connell* said he would not, upon that understanding, press the Motion for the Chairman to report progress.

Mr. *Stanley* moved an Amendment, the object of which was, to exempt persons who should violate the enactments of the first clause from the jurisdiction of the Courts-martial, and leave them to be tried and punished according to the ordinary course of the law.

Mr. *Shaw* objected to the change proposed, as contrary to all the right hon. Gentleman's own principles, namely—taking away the power of Courts-martial to try the political agitator in the disturbed districts. He always considered it of much greater importance to punish the man who planned and encouraged crime, than him who was the real victim of such a man's devices. He thought the clause as it had stood very important for the purpose of putting down the political agitator as well as the poorer offender, by a summary process; but if the strength and efficiency of the Bill were thus to be frittered away, he could find no equivalent in passing it for the great violation of the law it involved, and which could alone be justified on the ground of paramount necessity.

The Amendment adopted.

The Chairman reported progress—to sit again.

HOUSE OF LORDS,

Thursday, March 14, 1833.

MINUTES.] Petitions presented. By the Earl of RODEN, from Kinloss and Elvin,—for the Better Observance of the Sabbath; and from Borver, against the System of Church Patronage.—By Earl CAWDOR, from Elmyn.—By Earl GREY, from Dissenters at Newcastle,—for the Abolition of Slavery.

EDUCATION.] The *Lord Chancellor* rose to move that a message be sent to the Commons, requesting them to communicate to that House certain documents, which had been presented annually for some years to the other House of Parliament; but as they were very voluminous, it was not his intention to move that the whole should be printed, but only that such parts of them might be extracted from the mass as might serve to elucidate that particular part of the subject to which he was about shortly to draw their Lordships' attention. The Returns in question resulted from the Report of a very valuable and important Committee of the other House of Parliament, which sat for two Sessions, including part of the third, to inquire into the state of the education of the people of this country. In submitting this Motion to their Lordships, he wished to avail himself of the opportunity of stating why it was not his intention to ground upon those documents any immediate measure for the accomplishment of that most desirable object, the improvement of the moral condition of the people, by affording them the means of popular education. And as great misapprehension had gone abroad as to the reasons which had induced him to abandon the idea of bringing forward measures similar to those which, at a former period, he introduced into the other House of Parliament, he trusted their Lordships would bear with him while he stated why he had come to the resolution of not proposing, now that he was a member of the Government, any such measures as those which he felt it his duty to introduce into the other House when he sat there. It was not yesterday that he came to the resolution of not bringing forward, at least for the present, any such measure; for it was nearly six years since he had stated in another place the reasons why he abstained from again introducing the Education Bills, which eight years before (in 1820) he had submitted to the consideration of Parliament. In 1820 he framed the Bills in question, and presented them to the House of Commons; and the grounds on which he arrived at a change of opinion, in respect of them, were substantially these: These Bills were not proceeded with, in consequence of the very great diversity of opinion which existed respecting the provision comprised in them, among a certain class of his Majesty's subjects, the Dissenters of the different denominations. They were founded on returns which had been made by the parochial clergy throughout England, who had been called upon to do so, for the purpose of showing what was the then existing state of education in their respective parishes. Those Returns established one important fact, namely, that there existed at that period of time, by means of endowed schools and of unendowed schools, and, in some instances, of Sunday schools, very considerable means for affording education to the people; but that those means were inadequate was admitted; for it resulted that, in no less a number than 1,000 parishes, no schools whatever existed; and even in various parishes where schools did exist, they were wholly insufficient to supply the wants of the people. Some measures were therefore considered necessary to remedy these deficiencies. He spoke the sense of the Education Committee when he stated, that the general opinion at that time was, that the means of popular education were extremely deficient. It appeared that, by the means of day schools partly endowed, and partly unendowed, education was afforded, to an extent that sufficed for 600,000 children, perhaps the amount was rather above that number; between 600,000 and 700,000, being a proportion of about one-fifteenth of the population of the country. It was thought that there ought to be means to educate one-tenth, or one-ninth—some thought a one-seventh of the population. The day schools unendowed were about 14,000, and from returns it appeared there were 478,000 children taught. In this return the Sunday schools were not included. It was then thought by some of the best friends of education who had investigated the subject that it was not advisable to establish a compulsory rate for the support of schools lest those benevolent persons who then by voluntary contributions maintained 14,000 unendowed day schools, at which 478,000 children were educated, should withdraw their support from those establishments. Nevertheless, he, in common with many persons, was of opinion that a compulsory rate should be established for the purposes of education and for this reason—that the support which schools received from voluntary subscriptions was of a temporary fluctuating, and fleeting nature; so that not only might it vary in one year as compared with another, but it might utterly pass away. In 1826 he again brought forward his Bill; but in consequence of the serious objections which the great body of Dissenters entertained to many of its details he withdrew it. In 1828 a new era opened with respect to the Dissenters. In that year the repeal of the Test and Corporation Acts, removed the distinction which had principally divided his Majesty's subjects into Churchmen and Dissenters; and it then appeared to him, that the objections which the latter body had formerly entertained to his Bill would be removed. But it also occurred to him that it would be most material to endeavour to ascertain whether the voluntary support which was given to schools in this country was of so fluctuating and fleeting a nature as he had supposed. In order to satisfy his mind upon this point he addressed in his individual capacity about 500 letters to clergymen in every county in the kingdom, requesting information on the subject of the schools in their respective parishes. To these letters, which were addressed quite at random, he received nearly as many answers, and the information which they contained was highly gratifying. The result showed that whereas in 1818 there were in the whole kingdom, as he had already stated 14,000 unendowed day schools, educating 478,000 children, in 1828 there were in the particular places to which he had addressed his letters alone no less than 3,200 schools of this description, educating 103,000 children. Taking these places as affording a fair sample of the rest of the kingdom, as he had a right to do from the manner in which he had addressed his circulars, the result would be, that there were 230,000 unendowed day schools educating 1,030,000 children, all supported by voluntary subscriptions, independently of the endowed schools, which educated 165,000 children, and of the Sunday schools, which furnished very useful and salutary education, though necessarily of inferior importance to that which could be obtained from day schools. Under these circumstances, he became a convert to the opinion of those who thought it would be unwise to disturb a state of things which produced such admirable results; and therefore he abandoned his plan for establishing a compulsory rate for the purposes of education. Ten years' experience had shown that perfect reliance might be placed on these voluntary contributions and that it was rather to be expected that they would increase than decrease. Trusting to these voluntary supplies, he did not think it would be advisable to turn legislative attention to the subject; and, therefore, he had abstained from bringing it forward. He must, however, state, that the means of education were still defective, but not generally, and throughout the country, which was the case in the year 1818. These defects applied to two particulars, and, as he had intimated, they were still in existence. The first defect had reference to very small parishes. He believed that there were in the country not fewer than 1,500 parishes at that moment without any day school. But then it would be found, on inquiry, that these parishes were exceedingly small, in some cases not extending to more than twenty or thirty families, and in others not containing more than thirty, forty, or fifty individuals. Now, it would always be difficult to keep up a school in such parishes; because the number to instruct was so limited. In parishes so circumstanced the mode of education, unless the children were sent to the next school, would much depend upon private instruction. The other, and more important defect of education, to which he wished shortly to call the attention of the House, was one which could not be too much deplored, nor could it be too speedily dealt with, in order to remedy the evil—he meant the case of large towns, nay, the capital itself, and many of the large towns in the North of England, not having proper means for education. He would venture to say, that in no country in Europe, were so many persons circumstanced as in those large manufacturing towns, where the ordinary means of a common education were wanting. This would be found on inquiry to be the case, as many persons who had turned their attention to the subject could testify; and that defect ought to be supplied without delay. It was a very common observation made, that, notwithstanding the increase of education, there was also an increase of crime. There was, however, a great fallacy attached to this view of the subject. It was expecting too much from human nature that all vice and immorality were to disappear, because education was generally diffused: but this would be found to be true, that where the calendars were the heaviest, the parties charged were the most ignorant. Some alterations had lately been made in our law, which, taking away the capital offence, made prosecutors not averse from prosecuting, and made, accordingly, the number of prosecutions, and apparently of crimes, greater than formerly. Circumstances of that kind satisfactorily accounted for the increased number of convictions and commitments. But confirmed in the opinion which he had always held, that the more the people were enlightened, the less would be the amount of crime among them: by the great and notorious diminution of crime which took place where education was most in progress—and particularly of crimes connected with violence, especially where the population had been rapidly increasing. That circumstance demonstrated that persons who held the opinions to which he had just referred, must argue without a knowledge of facts, and without a due regard to the essential principles of the human mind. In Russia and Spain, where education could scarcely be said to exist, an ample illustration was afforded of the truth of his proposition. In the latter country, during a given period, in the course of which 5,800 persons were committed to prison, no less than 3,500 of those committals were for crimes connected with violence against the person; that was to say, more than one-half—indeed, about three-fifths of the whole. Contrast this result with what appeared on the face of returns from a part of the world distinguished for education, as much as Spain was for the want of it. In Pennsylvania, of 7,400 crimes committed, only 640 of them were attended with violence; a proportion not of three-fifths, as in the former case, but of one-twelfth. In the northern provinces of France, as contrasted with the southern, nearly the same disparity existed. If he were called upon to "give arithmetic" for the truth of his proposition, he could do so, readily, from authentic returns and papers. He could state a fact which occurred recently, in one of our own large gaols—the name he would not mention. Upon an inquiry being instituted into the condition of the prisoners, it was found that out of 400 persons who were confined for offences, 200 were utterly incapable of writing and reading; and fifty more knew their alphabet, but could not read. Thus, there were 250 individuals out of 400, who were totally uneducated. From a report, also, that he had seen, and which was made to the French minister, he found that the proportion of educated and uneducated was about the same in France as in England. Out of 7,400 cases of committal, the same disparity appeared, of about 150 who were educated, to 250 who were not. They ought, therefore, to lose no time in giving education a better chance; because in proportion, to instilling moral and religious feelings into the minds of the people—especially of the young, they had a better hope of improving their civil condition. He trusted their Lordships would excuse him for entering into these particulars, which he should not have done, had he not been apprehensive, on the one hand, that his reason for not bringing forward these measures might be misunderstood; and on the other, that it might be supposed that it was not the wish of Government to afford better assistance than was at present given to the great cause and vital interests of public education. The noble Lord concluded by putting his Motion.

Lord *Ellenborough* thought it must be a source of gratification to the noble and learned Lord, after what he had stated, that ten years ago his measure was not carried into effect—for experience had proved, even to the noble and learned Lord, that the remedy needed not to be general, for the defect was not general. A compulsory rate upon such a point, would have been highly objectionable, as interfering with the voluntary efforts of individuals. Moreover, it would have done away with that power of conciliating the poor, which it was so desirable should be possessed—it would have taken away that gratitude from the poor man's mind which it was wholesome he should feel, and which he would feel when these necessary duties were not neglected by those whom he naturally looked up to. They had done much mischief already in this way, and he hoped they would not attempt to do any more. He should not support a proposition for supplying the means of education in large towns. He regretted to hear the statement of the noble and learned Lord—a statement which he did not expect—especially from such a quarter. It was only lately, on account of the boasted intelligence of these large towns, that they were called upon to make a most serious and dangerous change in the Constitution of the country—a change that was highly detrimental to the agricultural interest. For his own part, on this subject of education in large towns, he should look to the natural feelings of the parents, and to the charitable impulse of the great capitalists, whose duty—whose solemn duty, it was, to provide the means of instruction to the offspring of those who, by their labour, their talents, and ingenuity, furnished their subsistence, and opened the road to the accumulation of their vast wealth.

As to the noble and learned Lord's remarks about the connection of crime with ignorance, he should merely observe, that in Ireland, where there was more reading and writing than in any country in the world, there was also more of crime and depravity.

The *Lord Chancellor* said, that the noble Baron, with that refined ingenuity which he alone could evince, had dragged the Reform Bill into the discussion of a matter with which it was in no degree connected. If they (the Ministers) had given an increased influence to the population of the large towns, he believed they had not gone so far as some noble Lords once proposed to go. If his memory did not deceive him, he believed he had heard something from them like a proposition for universal suffrage. And certainly if they had adopted such a proposition as that, they would have communicated the elective franchise to the class of persons whom the noble Baron had described as uneducated, and ignorant, and who had been left in that state, either by the fault of the Government, or by that of the more opulent classes among whom they lived. And one word in behalf of that respectable class of individuals, the master-manufacturers of large country towns. He had reason to know, that they did a great deal towards the education of the children of the labouring classes; and that at least as much ignorance and want of education were to be found in many parts of the metropolis, as in manufacturing towns.

Motion agreed to.

HOUSE OF COMMONS,

Thursday, March 14, 1833.

Minutes.] Papers ordered. On the Motion of Lord Howick, Copies of the Charter for the Improvement of the Administration of Justice in Ceylon.

Petitions presented. By Mr. Tooke, from St. Andrew's, Holborn, for the Equalization of the Land Tax.—By Captain Gordon, from Aberdeen, for the Reduction of the Malt Duty; and from Huntley, for the Repeal of the Soap Duty; and from Frazerburgh,—for the Better Observance of the Sabbath.—By Mr. Hume, from certain Inhabitants of Edinburgh, from Spitalfields, and from the Political Union, Maidstone; by Mr. Fryer, from Bilston and Sedgeley; by Mr. Thicknesse, from Wigan; by Mr. Brotherton, from Salford; by Mr. Pease, from South Shields, and other Places; and by Sir William Guise, from Tewkesbury, and other Places,—against the Suppression of Disturbances (Ireland) Bill.—By Lord Arthur Chichester, from Belfast, in favour of the Bill. —By Sir Robert Inglis, from Albany, and from the Reverend J. Dennis, against the Church Reform Bill (Ireland).—By Mr. Shaw Lefevre, from Southampton, for an Inquiry into the General Distress.—By Mr. Robert Steuart, from Haddington; by Lord Ebrington, from Culmstock; by Mr. John Smith, from Stoney Stratford; by Colonel Bailie, from Nairn; by Mr. Pease, from Dissenters at Perth; by Sir John Dalrymple, from Dalkeith, and from Edinburgh; by Mr. H. Curteis, from Hurstmonceaux and Hailsham; by Sir Andrew Agnew, from Rushmere and Playford,—for the Abolition of Slavery.—By Lord Milton, from Buckland, Newton, and other Places; by Mr. Shaw Lefevre, from Odiham and Basingtoke; by Mr. Robert Steuart, from Haddington; by Mr. Tooke, from Truro; and by Captain Dunlop, from Greenock,—for the Better Observance of the Sabbath.—By Captain Dunlop, from Kilmarnock, for the Repeal of the Corn Laws, for the Abolition of all Monopolies, and for the Abolition of Sinecures and unmerited Pensions.—By Mr. Robert Wallace, from Greenock, for the Repeal of all Taxes on the Diffusion of Knowledge; and from Shipowners of Greenock, to admit Foreign Sugar to be imported for Refining.—By Colonel Clive, from Hereford, for the Repeal of the House and Window Tax.—By Sir Andrew Agnew, from Cheltenham; and by Sir Gray Skipwith, from Harborough Magna, against the Beer Act.—By Colonel Bailey, from Forres; by Captain Dunlop, from Port Glasgow; and by Mr. Robert Wallace, from Soap Boilers in Greenock,—for the Repeal of the Duty on Soap. By Sir Gray Skipwith, from the Political Union of Kenilworth, for the Repeal of Taxation.—By Mr. Robert Grant, from Isaac Lyon Goldsmid, for the Abolition of the Disabilities of the Jews.

Factories Commission—Petitions.] Lord *Ashley* presented a Petition from the Cotton Spinners of Glasgow, in favour of the Ten Hours' Labour Bill. Another, to the same effect, from the Operatives of Chorley; a third, from the Churchwardens and other Inhabitants of the Ward of Bishopsgate; and, a fourth, from Little Bolton and neighbouring places in Lancashire. The latter prayed, that the House would not grant the Commission of Inquiry upon the Factories' Bill, as such a proceeding would only tend to delay the measure. He cordially supported the prayer of all these petitions.

Mr. *Strickland* wished to declare, that he also gave them his support, and that he did it with the most perfect satisfaction. He hoped the Bill would not be delayed, and it was on account of the fear of delay that he should oppose the appointment of a Commission. Such would certainly be the effect of that Commission, if it was not actually its object. He could not conceive that any person required proof of the fact, that children of a tender age were not fit to stand for fifteen hours in the day upon machinery worked by steam.

Mr. *Wilson Patten* assured the House, that he did not propose the appointment of a Commission with the view of delaying the Bill introduced by the noble Lord, but in order that the subject, on which the House were about to legislate, might be better understood, and, also, for the purpose of clearing the characters of the masters from those imputations which seemed to be cast upon them by the friends of this measure, but which further evidence would prove to be utterly unjustifiable.

Mr. *Robinson* did not suppose the hon. Member wished to delay, unnecessarily, any measure of this sort, or that he would move for a Commission merely for the purpose of effecting that object, but there could be no doubt that, in fact, such would be the result of the appointment of a Commission. He did not know how any man, aware of the circumstances already disclosed upon the evidence, could think for a moment, that the legislation proposed ought not to be adopted. There was no charge of cruelty against the masters—the charge was against the cruelty of the system, and it was the system that the noble Lord's Bill went to remedy. He thought, that the House were bound to protect these poor children from the effects of the system, against which they could not protect themselves.

Lord *Ashley* was of opinion, that the House ought not to be stopped from legislating on the subject, merely because ten or twelve gentlemen fancied themselves aggrieved by the tendency of the matter already known to the public. He knew that they had had an opportunity of considering the provisions of the Bill he had himself introduced, for he had sent 100 copies of it into the country to those most interested in the matter. The only effect of a Commission would be to delay the Bill, so that it would be lost this Session as it had been lost in the last.

Mr. *Wilbraham* thought, that a Commission ought to be granted, and that it might be so managed as not to prevent the Bill passing this Session.

Mr. *Cutlar Fergusson* said, that the measure was one of importance, and deserved the best and earliest consideration of the House. He trusted the noble Lord would press the Bill through the House. While they were talking of Commissions the children were perishing.

Mr. *O'Connell* observed, that it was a question of humanity and religion that ought not to be neglected. The objection to the present system was, that it not only destroyed the health of the children, but prevented them from having any religious education: that the only way in which they obtained that education, was by having slips of Catechism put into their sleeves when they went to work in the morning, and he regretted to add, that he had been informed that they were often punished for carrying these slips with them to their work.

Mr. *Warburton* thought it but fair to all parties that a Commission should be granted. Means might be taken to prevent its delaying the Bill; and of this he was sure, that the more evidence was taken, the more would the necessity for the Bill be shown.

Mr. *Wynn* was in favour of the appointment of another Commission. Evidence had been heard only on one side, and it was only fair that the other should have an opportunity of rebutting the charges against them. But, as the Bill should not be delayed beyond the present Session, he thought an instruction should be given to the Commission to make all due haste.

Mr. *Brotherton* did not consider the manufacturers to blame. The objection was solely against the system, but neither master nor workman could do anything without the aid of the law. In accounting for the present system of overworking children, various causes had been assigned by hon. Members. By some, it was ascribed to the taxes, by others, to the inhumanity of the parents of the children; but a great proportion of the supporters of the Ten Hours' Bill attributed it to the avarice and oppression of the masters. That it was not wholly ascribable to the taxes was evident; for when the taxes were not one-fourth of their present amount, children were employed a greater length of time in cotton-mills than at present. They ought not to throw the blame entirely on the parents, for thousands, and tens of thousands, of them had petitioned Parliament to restrict the hours of labour in cotton-mills. That the masters were not all of them cruel and oppressive, he could take upon himself to assert; for when the Bill, brought into this House by the right hon. Baronet, the member for Westminster, in 1831, was under consideration, he obtained signatures of about forty of the largest proprietors of mills in Manchester and the neighbourhood, to a petition in favour of a reduction of the hours of labour. There must, then, be something in the system which neither masters nor parents nor children could resist, unless they were aided by the law. He did not blame the masters, generally—it was the system he complained of; and he could not see that any useful purpose could be petitions, as little time as possible should be uselessly consumed, for the time of the House was the time of the public. With respect to the sittings at twelve o'clock, they did not seem to have much advanced public business. Besides other objections, they were open to a very material one; namely, that reports of those sittings went abroad, the incorrectness of which, when they happened to be so, could not be contradicted without the loss of a day.

Mr. *O'Connell* said, perhaps the noble Lord would consent that petitions against the Irish Bill should be presented at a late hour on that evening.

Lord *Althorp* had no objection to that proposition.

The subject was dropped.

Church Reform (Ireland).] The Question put that the Order of the Day for the Second Reading of Church Reform Bill (Ireland) be now read.

Mr. *Wynn* said, before the House entered into any discussion upon the Bill itself, he was anxious to state the reasons which induced him to think that the Ministers had adopted an irregular course of proceeding, in their mode of introducing it. When this Bill was first introduced into Parliament, it was doubted whether, as it related to a great change in the religious establishment of the Church of Ireland, it ought not to have originated in a Committee of the whole House. By this Bill it was proposed, to put an end to nearly one half of the bishoprics of Ireland, and to suspend all appointments to certain benefices in that country. Whether an alteration of so great an extent, did not bring this Bill within the standing order of the House on matters of religion, he would not then stay to examine; he would only say, that in his opinion, Ministers would have acted more prudently, had they conformed to the usual practice in cases of this sort, instead of originating a new precedent upon it. They had however transgressed another rule of ancient standing of still more importance, by which it was provided, that no bill imposing a tax upon the community, should originate, except in a Committee of the whole House. On the 18th of February, 1667, the House resolved, and the resolution had since become a standing order,—"That if any motion be made in the House for any public aid or charge upon the people, the consideration and debate thereof ought not presently to be acted upon, but adjourned till such farther day as the House shall think fit to appoint, and then it ought to be referred to a Committee of the whole House, and their opinions to be reported thereupon, before any resolution or vote of the House do pass thereon." Now, if a tax varying from 5*l.* to 15*l.* per cent could be laid upon Church property without originating the Bill imposing it in a Committee of the whole House, what was to prevent a similar tax from being laid without similar formalities upon any other species of property? The principle upon which our ancestors had adopted this form of proceeding was, that when money was to be raised from the people, the proposition should have the fullest and most frequent discussion; and the House of Commons, acting upon that principle, resolved on the 11th of March, 1716, "That no Bill be ordered to be brought in for any work proposed to be carried on by tolls or duties to be levied on the subject in particular places, till such petition has been referred to a Committee, and they have examined the matter thereof, and reported the same to the House." Mr. Hatsell, in noticing that resolution, says, that on the 28th of February, 1734, it was declared to be a standing order of the House, and the conclusion to which he came was this—that "in every mode in which any pecuniary burthen can be imposed upon the people, whether for public or private purposes; whether in consequence of a requisition from the Crown, or on the application of individuals for a particular purpose; whether in the form of tolls and duties, or as a pecuniary penalty: in all these cases, the orders and practice of the House of Commons require that there shall be a more frequent, and, being in a Committee, consequently a more free discussion, than other propositions are entitled to, in which the levying money on the subject is not included. And the time at which this discussion shall be had is determined by the nature of the proposition, whether previously in a Committee of the whole House, or whether in a Committee on the Bill; or, if the proposition is made upon the Report, or on the Third Reading of the Bill, in a Committee of the whole House upon the clause by which the sum is to be imposed." If any man took up this Bill, and only read the marginal notes of it, he would find that the preamble began with these words:—"Whereas it is expedient to make provision for the abolition of first fruits in Ireland, and the substitution of an annual tax in lieu thereof." If he went from the first page to the last, he would there find schedule A "containing the yearly tax to be imposed upon all benefices, dignities, and other spiritual promotions under the rank of bishoprics." This and other taxes mentioned in the Bill, were to be paid to ecclesiastical commissioners to be appointed by the Lord High Chancellor of Ireland; and after many enactments, with which it was unnecessary at that time to trouble the House, were to be applied to such purposes as Parliament might afterwards direct. Those purposes, he understood, were the repair of churches, the salary of parish clerks, &c. These burthens, which now fell upon the landed proprietors of Ireland, were in future to be thrown upon the clergy, and were therefore, *pro tanto*, a tax upon the clergy. Looking to the whole subject, it would, in his opinion, be most dangerous to depart from the old rule by which the House had been hitherto guided, and which had by many years' experience, been proved to be an excellent protection for the subject.

Lord *Althorp* said, that on a question of this nature, which came upon him also by surprise, he felt great unwillingness to state his own opinion. It did, however, appear to him that the rule which had been referred to always applied to cases where the tax was clearly laid on the subject for the public service generally. A bill had been passed something in the nature of the present, by which incumbents were compelled to pay larger sums to their curates. The money clauses of that Bill were not referred to a Committee of the whole House, and he never heard any complaint made on that account. It was most important, certainly, that they should not interfere with any regulation of Parliament having, for its object, the protection of the subject; but he did not think that the present was one of the cases which came within the rule. The word "tax," it was true was made use of in the preamble of the Bill; the tax there spoken of was not, however, for the general benefit of the State, it was entirely applicable to a particular purpose. The tax so mentioned, was specifically for "the building, rebuilding, and repairing of churches, and other such like ecclesiastical purposes, and to the augmentation of small livings," &c. Everything contemplated by the Bill, even to the increase of the salary of a parish clerk, was absolutely exclusively for a Church purpose. On the best consideration that he could give to the subject, he thought that this could not be considered as a general tax. Having heard the statement of his right hon. friend, and knowing what Ministers propose by this measure, he could not consider the present as a tax-bill, in the ordinary meaning of the word; and, therefore, he thought that it did not come within the rule of his right hon. friend. If he conceived the objection to be well founded, he certainly would not persevere with the measure. He did not, however, think that it was so; and it appeared to him that it would create unnecessary delay, if they were to call for a Committee of the whole House, in which a resolution on this subject should be proposed. The Bill might be read a second time, and the money clauses could then, if it were considered necessary, be referred to a Committee of the House, and a report received before it went into the ordinary Committee. Whether the Report of such a Committee would answer in that case—supposing the objection of his right hon. friend to be well-founded—was worthy of consideration, but it certainly did not appear to him that this was a tax-bill coming under the rule that had been quoted.

Sir *Robert Peel* never felt more perfectly satisfied of the validity of any objection, than he did at the present moment, of the validity of the objection which had been taken by his right hon. friend; and, although the expression might be a bold one, he felt certain that he could convince the noble Lord of the actual necessity, conformably with the rules of the House, of not proceeding without previously discussing the clauses referred to, in a Committee of the whole House. The noble Lord had stated very fairly, that the authority of his right hon. friend had great weight, but that he was not prepared to accede to it; and the two main grounds upon which he founded his objection were these—first, that it was not a general tax on all his Majesty's subjects, that it was a tax on the clergy, and that the purposes to which it is to be applied, were local rather than general.

Lord *Althorp* had said, that a certain

portion of the monies derivable from this Bill would be applied to the purposes of the Church, such as building, repairs, &c.; therefore, what he meant to express was, that the Bill imposed a burthen only on a certain class, and not on all; that its object was specific, not general.

Sir *Robert Peel* was only stating the case with greater limitations than the noble Lord. In the first place, the noble Lord stated that it was a tax for the Church, and not for a general public concern; and, second, that the House might proceed to the second reading of the Bill, and before going into Committee upon it, that we might refer the money clauses to a Committee of the whole House. According to the practice of the House, the Bill ought not to proceed to a second reading without those clauses being submitted to the preliminary ordeal of a Committee of the whole House, by whom they would be affirmed, modified, or rejected. On the 29th of March, 1707, it was resolved—'That this House will not proceed 'on any petition, motion, or bill, for 'granting any money, or releasing, or 'compounding, any sum of money owing 'to the Crown, but after examination by 'a Committee of the whole House, and 'the same is declared to be a Standing 'Order of the House.' On the 27th of June, 1735, a bill was introduced for establishing a police force in Westminster, which was found to contain clauses for a stamp duty, and other taxes. No motion having been made to submit it to a Committee of the whole House, it was thought advisable the next day, said Mr. Hatsell, to withdraw that Bill, and to proceed in the regular course. That was merely a local tax, providing for the police of the city of Westminster, and because there was not a preliminary Committee of the whole House, the Bill was withdrawn. Was not that a strong case? In that instance it was a local tax which was proposed for a local object: and yet the neglect of the preliminary proceeding caused the withdrawal of the Bill. Mr. Hatsell said, upon that principle the House laid it down for a rule as long ago as the year 1667—'That no motion or proposi'tion for an aid or charge upon the people 'should be "presently" entered upon; 'that by this means, due and sufficient 'notice of the subject should be given; 'and that the Members should not be sur'prised into a vote, but might come pre'pared to suggest every argument which 'the importance of the question may de'mand. And, (continued Mr. Hatsell)—'That such propositions shall receive their 'first discussion in a Committee of the 'whole House (not, be it observed, after 'the first and second reading, as the noble 'Lord proposed), is no less wise and 'prudent. There every Member may speak 'as often as he finds it necessary, and is 'not confined in delivering his opinion by 'those rules which are to be observed 'when speaking in the House, and which, 'in matters of account and computation, 'would be extremely inconvenient, and 'would necessarily deprive the House of 'much real and useful information.' He could quote several other cases where a Committee of the whole House was required, though the object was a mere special one. In 1825, a case occurred on the petition of a Mr. Campbell, who prayed for compensation on account of losses sustained by riots at Glasgow. This related to an individual, and yet the case was reported on by a Committee of Ways and Means. In 1831, a bill was brought in by the noble Lord himself for regulating the Game-laws, and a duty of 2*l.* was imposed on granting licences. Was that Bill brought in with the clause in it proposing a tax of 2*l.*? No; the Bill was brought in with only a reference to the clauses which imposed the duties. There was this note affixed to them, and printed in Italics—"these clauses to be introduced in the Committee." These were all instances of local taxes, to be applied to local objects. Now, what were the objects of the present Bill? One of the objects was the building of churches throughout Ireland. Could there be any object more general than the building of churches throughout all that part of the empire? He would assert, that this tax had a reference generally to the people; and if that resolution of the House of Commons which he had read, and which declared that no tax should be proceeded in but through the intervention of a Committee of the whole House, were not considered a dead letter, then there could not be a doubt raised, but that, before they proceeded with this Bill, a Committee of the whole House should come to a resolution as to the money clauses. He conceived that the noble Lord must see the necessity of consenting to his proposition, and of introducing those clauses to the House between the first and second reading of the Bill. There was, at least, so much doubt on the subject as called for serious consideration.

Mr. *Stanley* said, the right hon. Baronet had, on a former night, suggested a similar course to that he had now recommended. He (Mr. Stanley) had not such a great knowledge of the rules and orders of the House as the right hon. Members who had recently spoken possessed, and he had not looked into precedents as they had done; it struck him, however, that the whole of the argument turned on the fact, whether the general interest, or a local interest only was affected by this measure. The right hon. Baronet had quoted a resolution of the 29th of March, 1707, providing, that "The House would not proceed on any petition, motion, or bill, for granting any money, or releasing or compounding any sum of money owing to the Crown, but in a Committee of the whole House." Now, he read that resolution, and the practice of the House, as arising from a constitutional jealousy of the power of the Crown. It had reference to money advanced by that House to the Crown. He would not attempt to follow the right hon. Gentleman opposite into the precedents which he had quoted, but there was a case to which he would call the attention of the House, because it appeared to him to go on all-fours with the present—he alluded to the Bill for the regulation of the salaries of curates. By that Bill certain reductions were made in the salaries of incumbents, in order to enlarge the incomes of a portion of the clergy who were inadequately provided for. That Bill was not submitted, in the way proposed, to a Committee of the whole House, nor did it originate in that House at all, but in the House of Lords. That Bill consolidated the law for enforcing persons not residing on their benefices to support and maintain stipendiary curates in England and Wales. [Sir *Robert Peel:* The Bill did not originate in the Lords.] It seemed that he was mistaken in stating that the Bill had originated in the Lords. It might be so; but certainly it had not been referred to a preliminary Committee of the whole House. What, then, did the Bill to which he referred do? It provided for the augmentation of small livings—the building of glebe-houses—the repair of churches, and, in short, everything almost that was contemplated by the present Bill. Substitute Commissioners for diocesan, and the two measures were precisely the same. There was absolutely in the Bill to which he alluded a graduated scale of taxation; for if the living produced so much, the curate was to be paid in proportion. Was not that as much for the benefit of the curate as any provision in the present Bill for improving small livings. There was nothing connected with this measure to call forth that constitutional jealousy which was properly entertained when money was to be granted to the Crown. In both the cases which he had mentioned, the measure was restricted to Church purposes and to Church purposes only. If it was competent in the House (and it was competent, for the House had done so) to pass the Curates' Bill, and thus to tax (and he used the word purposely) a portion of the clergy, without the preliminary form of a Committee of the whole House he thought he might fairly say, that, according to the common sense of the matter, they ought in the present instance, to be guided by the same principle.

Mr. *Goulburn* was of opinion, that great advantage would accrue by affording time for deliberation on a point which appeared to him, if the objection of his right hon. friend were well founded, to be one of very great importance. If this were a tax on the people, it was important to prevent the House from levying it without adopting those safeguards which were hitherto deemed indispensable. If there were only a doubt on the subject, it was of importance to give it due consideration, and thus to avoid the evil consequences that might arise from a wrong and hasty decision. The right hon. Secretary had not proved the least analogy between the Curates' Bill and the Bill then before the House. The Curates' Bill was in the nature of a penalty on those individuals who forbore to do that which the law called on them to do. In that case, it was a penalty on the non-residence of the incumbent, who was liable to the payment of the several penalties which the Act stated, but which did not touch the resident clergyman. But how stood the case in the present instance? There was no possibility for any clergyman, resident or non-resident, to escape from the tax. The Bill imposed upon every clergyman in Ireland a tax, varying from five to fifteen per cent. It was a tax levied by that House, paid to the Commissioners of the Crown, and applied to a public object—the building and repairing of Churches.

The *Solicitor General* said, the question was, whether this were a bill for imposing a tax on the people, or for granting a revenue to the Crown? If it were either one or the other, then it would be necessary to submit it to a Committee of the whole House; but if it were merely a measure for regulating the property of the Church, for the benefit of the Church, then he conceived that such a proceeding was not called for. In that case he did not think there would be any violation of the orders of the House if they went on with the second reading. The right hon. Baronet had quoted the case of the Westminster Police Bill; but it was mixed up with a provision for a stamp duty, and he knew of no such duty that was not levied for the Crown. The case was not, therefore, in point. The right hon. Baronet had also adverted to the Glasgow case, but about it no question had arisen, and, therefore, he thought it carried little weight with it. The proceedings of the Committee of Supply and of Ways and Means with respect to Mr. Campbell's claim, were of so different a nature from the present measure that the Glasgow case did not apply to it. With respect to the Curates' Bill, he contended that it was a tax on every incumbent in England, according to the annual amount of his living. If it were 1,000*l.* a-year, the incumbent was obliged to pay a certain sum to his curate; if it were less, he paid less in proportion. Now, he would ask, was not that a tax? The provision was substantially the same as that of the present Bill; and as in that case, no Committee of the whole House was called for, he conceived that they might safely proceed with the second reading of the present Bill.

Mr. *Shaw* said, he thought he could at once meet the Solicitor General upon the ground that he had taken to defend the propriety of the present mode of proceeding. The Solicitor General said, it was imposing no tax upon the people. Now, as to its being a tax, what were the words of the 14th section? That the Commissioners should make a valuation of all livings, and "levy thereout, from and after the commencement of this Act, for ever, a yearly tax." Then surely the hon. and learned Gentleman would not deny, that the clergy of the Established Church were a portion of the people not disentitled to that protection in having imposts laid upon them, which that House extended to every class of the King's subjects—and indeed possessing the peculiar claim of being the most defenceless—the most unrepresented, and so far as the particular clergy (those of Ireland) to which that Bill applied, were concerned, the most oppressed body in the community. The right hon. Gentleman (Mr. Stanley) contended, that the principle on which the cases quoted by the two right hon. Gentlemen went, was a jealousy of the power of the Crown; but, by reference to the Debates which occurred at the time of the passing of the resolution of 1667, as well as by the able current authorities since, it would appear that the true principle of the rule was, "that the charge may be made as light as possible upon the people." A case of a Turnpike Road Bill occurred in 1770, which was held an irregular proceeding, because a pecuniary penalty was laid on, with the Speaker in the Chair; and in a tobacco case in 1789, it was laid down as a rule "that whether it was a pecuniary penalty or a rent, or by whatsoever name it could be called, it certainly was raising a sum of money upon the subject, and therefore ought not to be determined upon by the House, while the Speaker was in the Chair, but ought to undergo the previous deliberation of a Committee;"—and Mr. Hatsell states in his observations on the subject—"that this resolution of 18th November, 1667, has been, particularly of late years, very strictly adhered to; and it appears to be one of those rules, which as it has its foundation in prudence, and an attention to the ease of the people, ought to be in all cases inviolably observed." Then the right hon. Secretary, and the Solicitor General compared this case to the Curates' Bill, and said it was only regulating the property of the Church within itself. That certainly was the case with the Curates' Bill, and then they only regulated the mode by which the incumbent should pay the charge to which he had been previously liable in law; but the present Bill proposed to tax the income of the clergy from 5*l.* to 15*l.* per cent—with a payment to which the parish at large was legally subject; and not to speak of the hardship and injustice of that partial income tax, surely it could not, at all events, be denied to be a tax, and the clergy were at least entitled to the ordinary protection which the forms of the

House gave in every case where a tax was to be levied upon any portion of the people.

Mr. *O'Connell* said, they had much business to do, and they ought to put an end to this discussion. It was most clear to him that this was a tax. That was his opinion. In the preamble of the Act this was called neither more nor less than an annual tax. He never felt himself abashed in performing a public duty; but if ever there was a case where he regretted to do his duty it was the present. He did not want to postpone this Bill, but he wanted to know how this blunder had been committed. It was set forth in the Bill, that first fruits in Ireland should be repealed, and that there should be "the substitution of an annual tax in lieu thereof." This stared them in the face in the very first line; and when that was so, how could they go on with the second reading of this Bill without first submitting it to a Committee of the whole House? How did they happen to overlook such a circumstance as this? What, he asked, was this but an annual tax? Here was a certain portion of the property of a certain class of the King's subjects which was to be taken every year, and at all events. Now, if that was not a tax, he really did not know what a tax was. What could Gentlemen opposite call it but a tax, which they had called it in the Bill? With respect to the Curates' Bill, it was a very different matter. The Act of Parliament said, if the curate be not paid so much, the incumbent shall be compelled to make it up. This was not a tax, but it was a penalty for not performing a duty. What, he asked, would future Parliaments say, if, after debate and deliberation in that House, it should be determined that this was not a tax? Why, they might carry the precedent to the most alarming extent. In his opinion the Bill ought not to proceed now, because the proposition was a plain and a clear one. He, therefore, could not vote against the Gentlemen who cheered him, without violating that which he would never violate—a great constitutional principle.

Mr. *Pryme* said, there were several descriptions of bills connected with money which did not originate in a Committee of the whole House. A turnpike bill or a drainage bill was a tax bill, yet it was never known that such measures originated in a Committee of the whole House.

Lord *John Russell* said, that Gentlemen wished them to settle the question at once, because the word "tax" was found in the Bill; but that circumstance would not decide the question, which was, whether the word bore the ordinary meaning of that term? The right hon. Gentleman opposite had argued against the second reading, and founded his argument upon the authority of Hatsell as well as his own; and he was ready to admit, that the right hon. Gentleman was as well acquainted with the Orders of the House as any individual that ever rose to speak on the subject. Hatsell, it appeared, was in favour of a Committee of the whole House, even when a bill was introduced for local purposes. But, he would ask, had such a principle as that been acted on of late years, or not? The Stipendiary Curates' Bill bore strongly on the question. It was argued, that that bill was in the nature of a penalty. But as it gave the Bishop power to permit an incumbent not to reside on his benefice, provided he paid so much annually, then it appeared to him to partake rather of the nature of a tax than of a penalty. There were certain Acts, the effect of which was, to raise money on the people, and yet those who brought them in never thought of referring the subject to a Committee before those measures were introduced. There was, for instance, a bill for the establishment of a police in the metropolis, and, in order to carry the plan into effect, a charge of 8*d.* in the pound on the Poor-rates was enacted by Parliament. That was done without any intervention of a Committee of the whole House. Again, there was the Vestry Act of Ireland, which provided for levying money on the whole people, and yet it had never been proposed to refer that bill to a Committee. The right hon. member for Montgomeryshire proposed to have a Committee of the whole House upon this subject, and, according to his plan, they might vote a Resolution authorizing this tax, as it was called, of five or fifteen per cent on the clergy. But where was the necessity for this when the measure was local, and when the money levied would be applied for the benefit of the Church of Ireland, the source from which it was taken? He knew nothing similar to this case in the whole course of parliamentary proceedings. It was very important, and he should be glad to hear further discussion on the question; but, above all, he should be gratified by receiving the benefit of the knowledge and experience of the right hon. Gentleman in the Chair.

Sir *Robert Inglis* said, that this Bill most decidedly imposed a tax on the Irish clergy. He relied on that word, and he would force it into discussion. He saw clearly that it was a tax on one part of the community; and he contended, that no portion of the King's subjects should be deprived of the benefit of any of the forms of that House.

Dr. *Lushington* said, that this was a case of great difficulty, and he did not underrate it when he declared, that it was well worthy the attention of the House. He wished to adhere to the utmost extent to the ancient and well-known usages of Parliament. He should rather be inclined to put up with any partial inconvenience than to break through the rules and orders which Parliament had long established. He would state the case as he understood it, and he hoped the right hon. Gentleman in the Chair would favour the House with his opinion, because, he believed, the House relied on his knowledge of the subject, and not only on his knowledge of the orders and usages of the House, but on his well-known and often manifested impartiality. The House, he was sure, would be entirely satisfied, and the minds of Gentlemen would be set at rest, when he gave his solemn and deliberate judgment. An Order on their Journals directed that where taxes were to be granted to the Crown a Committee of the whole House should be appointed to inquire into the subject. This was done with a twofold view — for the protection of the people, and to avoid, if possible, any jealousy of the Crown. If he was to construe the Order strictly, nothing but taxes to be raised for the Crown was contemplated by it. If he looked to the letter of the Order it related only to taxes imposed on the people that would ultimately be placed at the disposition of the King. When he considered the precedents cited by the right hon. Secretary, they left him in a state of doubt. One of the precedents was that of Westminster. In that case certain stamp duties were included in the bill. Now, as he had not learned whether those stamp duties were independent of the Crown—and, he confessed, he knew no instance where such duties were not for the Crown—then he scarce knew how to decide as to the weight of the precedent. If, however, the duties were apart from the Crown, then he feared that little reliance could be placed on the precedent. The precedent of Glasgow did not appear to him to be a satisfactory one. The question really was, whether the money to be raised under this Bill was or was not to be placed at the disposal of the Crown? Might they tax the clergy *inter se*, or amongst themselves, for purposes connected with the Church? Could they, or could they not, do that, without first coming to a Committee of the whole House? There was nothing in that Order which proved to him the necessity of going into a Committee of the whole House upon such an occasion. He was of opinion, that the present Bill did bear a strong analogy to the Curates' Bill, which was not considered by a Committee of the whole House. By that bill it appeared, that in all cases where the curate was directed to reside in the parsonage-house, which, under certain circumstances, he was obliged to do, he became liable to the payment of all those King's and other taxes, which the incumbent, had he been resident, would have been accountable for. Now, if this was not to impose taxes on the curate under the bill to which he alluded, he was at a loss to conceive what did constitute the imposition of taxes. Yet that Bill was not considered by a Committee of the whole House. The hon. Member concluded by appealing to the Speaker for his opinion on the subject.

The *Speaker* said, that, having been called upon by the hon. and learned Member to state to the House what were his views upon the point now before it, he begged to say, that while he was ready to admit, with all those hon. Members who had spoken upon the subject, that it was one beset with difficulties, it appeared to him that those difficulties arose out of the meaning, intent, purport, object, and character of the Bill, rather than out of the interpretation to be put upon the rules and forms of that House, with regard to which there could be little or no difference. He took it, that the question now before the House was, whether one of the objects of this Bill was the imposition of a tax, or not; and, in order to ascertain that point, it was necessary that they should come to a clear understanding as to what the meaning of a tax was. Now, as he took it, according to the

Standing Orders of the House, any imposition upon the subjects of the Crown, either for public purposes generally, or for purposes entirely separate and distinct from the interests of those individuals upon whom the said imposition was to be levied, was to be considered as a tax. In considering this question there was a point which he thought had been overlooked by the House, and which materially affected the subject matter at issue, and that was, whether a certain surplus of money, which would arise out of the operation of this Bill, was not to be applied to purposes to which it had not hitherto been applied—to public purposes, and whether a burthen would not be imposed by the Bill to be paid by the clergy which hitherto had not usually been borne by them. That was a point which materially affected the question, as to whether this Bill should or should not emanate from a Committee of the whole House. It would be seen that he alluded to the part of the Bill relating to the Church-cess, and that part of it, he conceived, ought to occupy a prominent position in the consideration of this question. As to his giving an opinion himself upon the question, whether the purposes for which the Bill was intended came within the meaning of a tax or not, he was satisfied that the House would not expect him to give any such opinion, and he was quite sure that it would not be decent for him, if he had formed any opinion on the subject, to obtrude it on the House. He had merely felt it his duty to call the attention of the House to the question which was before it—namely, whether the purposes for which this Bill was intended, came within the meaning of a tax or not; that was to say, whether the object of it was to raise money upon the subjects of the Crown for general purposes, or to raise money upon a particular description of the subjects of the Crown, to be devoted to purposes with which the interests of those subjects were not connected.

Mr. *Hume* said, that he certainly could not look upon the imposition proposed to be made by this Bill in any other light than that of a new tax, like the tax upon pensions, or any other tax; and he had, therefore, no hesitation in saying, that such an imposition ought to originate in a Resolution of a Committee of the whole House. He repeated, that he considered the tax proposed to be imposed by this Bill as direct a tax as the tax upon pensions, soap, &c., and that it ought, therefore, to originate in a Resolution of a Committee of the whole House. He would, however, suggest to the noble Lord, whether this course might not be pursued, at it was a course often adopted with respect to bills containing money clauses—namely, to read the Bill a second time, and then that the House should go into a Committee of the whole House, for the purpose of deciding as to the imposition of a certain tax, which, if adopted, might be afterwards incorporated in the Bill. That was a course, as, he thought, strictly in accordance with the forms and proceedings of the House in reference to other bills with money clauses, which bills it was usual to read a second time; then for the House, in Committee to decide whether a certain tax should be imposed, and then to incorporate it in the body of the Bill. If that course could not be followed on this occasion, there was no other way of proceeding with this Bill, for it most assuredly went to impose a new tax, the imposition of which could alone originate with a Committee of the whole House.

Lord *Althorp* said, that after the discussion which had taken place, he would if the House agreed to it, be ready to postpone the second reading of this Bill to a future day. The question having been raised as to whether this Bill did not impose a tax, and whether, therefore, it should not originate with a Committee of the whole House, he should be extremely sorry that such an important constitutional question should be determined without the fullest and most deliberate consideration, and, whatever might be his own opinion on the subject, after so much doubt had been thrown upon it, he should be sorry to call upon the House to come to a decision upon the point at once. He was therefore ready to defer the Order of the Day for the second reading of this Bill until some day next week, in order that the House might in the meanwhile have time to consider the question that had been raised.

The Order of the Day read and discharged.

On the Question that the Bill be read a second time on Monday,

Lord *John Russell* took that opportunity to controvert the opinion of the hon. member for Middlesex as to bills with money clauses being read a second time, and then the clauses in question being carried in a Committee of the whole House and incorporated with the bills. There was always a resolution of a Committee of the whole House in the first instance, and then there was a resolution passed for bringing in a bill founded upon the foregoing resolution.

Mr. *Hume* repeated that where the money clauses did not constitute the essence of the Bill, the course he had referred to was the one usually pursued.

The *Speaker* said, that the only question was, whether the part of the Bill in question did not constitute the essence of it. It was quite true that Bills were often read a second time, and then that money clauses, such as clauses granting salaries, were afterwards passed by a resolution of a Committee of the whole House, and incorporated in such Bills; but that was in the case where it was not the sole intention and object of the Bill to grant salaries, but where such salaries were granted in aid of the objects of the Bill. Here, however, the question was, whether, from the beginning to the end of it, the whole object of the Bill was not the imposition of a tax.

Mr. *Hume* thought that the first principle put forth in the preamble of the Bill, and to which all the other principles in it were subordinate, regarded the reduction in the number of the Bishops in Ireland. He considered that to be the first and most important object of the Bill. He looked upon the principle of the Bill to be the reform of the Church of Ireland, beginning with a reduction of the number of Bishops there; and he regarded the part that related to Church cess as only incidental to the main object of the Bill.

The *Speaker* observed, that the principle to which the hon. Member had alluded had not the precedence in the preamble of the Bill. The preamble in the first instance stated, that "whereas it was expedient to make provision for the abolition of first fruits in Ireland, and the substitution of an annual tax in lieu thereof." Its second object was announced in the following words: "That it was expedient that compulsory assessments by exclusive vestries should be abolished." And then came its third object, "That the number of Bishops in Ireland might be conveniently diminished," &c.

Mr. *Hume:* the preamble of theBill was, it was well known, always postponed.

Sir *Robert Peel* would suggest to the noble Lord whether it would not be better at once to appoint a Select Committee to search into precedents upon this point, and to make a report to the House, either to-morrow night or upon Monday next, on the subject, in order to direct the judgement of the House with regard to it. If such a course should not be adopted, the House would come to the decision of the question upon Monday not one whit better prepared than it was at present.

Bill to be read a second time on Monday.

Lord Althorp moved that a Select Committee be appointed to examine precedents and to report their opinion whether the "Bill to alter and amend the laws relating to the temporalities of the Church of Ireland" should by the rules and orders of the House have originated with a Committee of the whole House.

Mr. *O'Connell* would recommend the noble Lord to form two Bills out of one. That part of the present Bill which related to the lessees of Bishops' lands, would meet with great difficulties in its details; and, in the present state of Ireland, persons with a command of capital would have great advantages, while persons of straightened means would be exposed to great disadvantages in purchasing this property. He would recommend, therefore, that the Bill should be divided into two parts, one part should be referred to the Committee, and the House should proceed with the other.

Mr. *Stanley* was sensible that the proposition of the hon. and learned Gentleman had much to recommend it, but there was one circumstance which rendered the proposed separation a question of much difficulty. The part relating to Bishops' leases hung so much together with the other that it would be almost impossible to run the risk of passing one and of not passing the other. One of the leading principles of the Bill was, to suppress ten Bishops' sees, and place their revenues in the hands of a permanent board. At present the possessors of Bishops' leases derived many of their advantages from the apprehension which the Bishops had to run their lives against the leases which induced them to renew these leases every year for a reasonable fine. But of course no motives of that kind could exist in an undying board. There was a necessity then to give an entire security to the holders of Bishops' leases, by enabling them to purchase them in perpetuity. There were certainly grounds in the length of the Bill why it should be separated, but the connexion he had pointed out between the suppression of the Bishoprics and the holders of Bishops' leases was of such paramount force as made it impossible to separate the measure into two Bills.

Mr. *O'Connell* admitted the existence of the difficulty pointed out by the right hon. Gentleman but it might be obviated by ascertaining the average fines paid by the lessees of Bishops' lands and compelling the Board to renew the leases at a similar rate, or to make the lease perpetual on the term, regulated by that average proposed by the noble Lord. Allow him then to say one word of himself. He had been represented in the newspapers, both of England and Ireland, as giving his support to this Bill because he possessed property of this description. He had not, however, a single acre of land in his possession held on lease from the Church, and was not in any way, either directly or indirectly, interested in Church lands.

Mr. *Baring* thought the impossibility of now getting anything like a proper value for the Church lands in Ireland, owing to the state of the country, should they be disposed of, ought to be taken into consideration. He suggested, therefore, that the average fines heretofore obtained by the Bishops should be ascertained, and that the Board should be compelled to dispose of the lands at that rate.

Mr. *Stanley* said, there would be a considerable loss if the Board should be bound not to ask a higher sum than the average of that paid to the Bishops. There was a considerable difference in the value of a lease for twenty-one years and for perpetuity, and if the hon. Members advice were followed, the present holders of Bishops' leases would obtain all the advantage of the perpetual lease without paying for it. The object of the Ministers was to make the tenants pay for that advantage, and the surplus thus obtained would be placed in the hands of the Board to be disposed of as Parliament might please.

Mr. *Harvey* said, that the question had been treated only with reference to the Church and the holders of the leases, but there was a third party who ought to be considered—the people. It was of great importance that they should not be lost sight of. The lessees of that property had no more interest in Church lands than had the lessees of any other property in the lands they held. They were only lease-holders, and he wished that the value of their leases should be ascertained. He wanted to know why these lessees should be allowed to acquire these lands in perpetuity for six years' purchase? He had heard the subject discussed in several places, and had heard only one sentiment of astonishment at the low rate at which the purchase was to be made. He had not met with one person who thought the leases should be acquired in perpetuity for less than twelve years' purchase. He should, therefore, call on the House to interfere for the protection of the interests of the public. The money to be realised by this sale was estimated at 3,000,000*l.*; and he hoped the time was not far off when this and other sums, which were now devoted to ecclesiastical purposes, would be applied to the exigencies of the State. He wished to know how the amount was ascertained of Church property in Ireland? It was said that the property of the Bishops was only 600,000*l.* a-year, obtained from 700,000 acres of land—that of this sum the Bishops only got 100,000*l.*—and that the interest of the lessees in the 500,000*l.* was to be made perpetual, for a sum equal to six years' purchase. The House was certainly not acquainted with the nature and extent of that property, and he therefore thought it right that attention should be directed to the subject.

Question agreed to, and Committee appointed.

HOUSE OF LORDS,

Friday, March 15, 1833.

MINUTES.] Petitions presented. By Earl FITZWILLIAM, from Cumnock, for the Repeal of the Corn Laws.—By the Earl of RODEN, from the Isle of Sky, against Church Patronage (Scotland).—By the Bishop of BRISTOL, from Pembroke; by the Marquess of CHOLMONDELEY, from Chipping Sudbury; and by Earl FITZWILLIAM, from St. George's Chapel, Everton,—for the Due Observance of the Sabbath.

HOUSE OF COMMONS,

Friday, March 15, 1833.

MINUTES.] Bills. Read a first time:—Public Revenue (Scotland); Small Debt Court (Scotland).—Read a second time:—Burgh Reform (Scotland).

Petitions. The time appropriated to receiving Petitions, was chiefly occupied by receiving Petitions on the subject of the Suppression of Disturbances (Ireland)

Bill, against which 190 were presented.—Mr. O'CONNELL presented fifty, from various parts of Ireland and England; Mr. COBBETT, Mr. FINN, Mr. LYNCH, Mr. MONTAGUE CHAPMAN, Mr. C. TALBOT, Mr. PERRIN, Mr. WALKER, Mr. M'LAUGHLIN, Mr. GUEST, Mr. FERGUS O'CONNOR, and Mr. WARRE, presented the remainder.

SIR JOHN SOANE'S MUSEUM.] Mr. *Hume* moved the second reading of Sir John Soane's Museum Bill. He observed, that Sir John Soane had been engaged for thirty years in collecting books, manuscripts, and antiquities, at a great expense, and had arranged them in the most complete order; so that, at once, reference could be made for the attainment of any particular information. Having derived everything from science himself, Sir John Soane was willing to communicate the advantages of his researches, and the benefit of his labours to the public. He wished that the Museum he had formed should be useful to others; and for that purpose he now asked the House to pass this Bill, which was to invest certain trustees with the management of the Museum, for the public benefit, and to enable himself to complete his purpose of investing 30,000*l.* in the three-per-cent Consols, the interest of which (900*l.*) together with a sum of 200*l.* a-year, arising from the rent of certain houses, he intended should be appropriated to the maintenance of the Museum for ever. It was unnecessary for him to eulogise the character of Sir John Soane, who was known to be a firm and disinterested friend to science. He was the person who prevented Belzoni's celebrated Sarcophagus from going abroad; for when every one else withdrew from it, he purchased it at an expense of 2,000*l.* for his own country. So anxious had he been to make his Museum really valuable, that for one manuscript alone he had given 500*l.* Any hon. Member who chose to visit the Museum, might satisfy himself of the excellence of the collection. He had great pleasure in moving the second reading of the Bill.

Sir *Robert Inglis* expressed his satisfaction that the House had received this Bill in such a very favourable manner, and praised the disinterested course adopted by Sir John Soane. There had been instances in which such valuable collections were made a matter of bargain and sale, and yet professedly for the benefit of the country. This, however, was a very different case; for though Sir John might have made his Museum available for purposes of this kind, he had freely presented it without recompence, for the sake of advancing our national science. There was a recent instance of a like kind in the case of Mr. Payne Knight, who had bequeathed to the British Museum after his death, a collection worth 60,000*l.* The public knew hardly anything of that instance of munificence, yet it deserved a formal and honourable notice. For the same purpose he wished that some hon. Member would move that the Directors of the National Gallery should be directed to make annual communications to Parliament, which he thought would have the effect of inducing many persons to contribute to the public collections, and would more duly honour those who had already made those contributions. He wished that the House would adopt some particular way of expressing its sense of such public benefits.

The Bill read a second time, and ordered to be committed.

SUPPRESSION OF DISTURBANCES (IRELAND) BILL—COMMITTEE.] The House, on the Motion of Lord Althorp, resolved itself into a Committee on the Suppression of Disturbances (Ireland) Bill.

On the question that the first Clause stand part of the Bill,

Mr. *O'Connell* rose to propose an Amendment on the clause. As it stood at present, it enabled the Lord Lieutenant, by order, to prohibit or suppress any assembly deemed by him dangerous to the public safety, and inconsistent with the administration of the law, and to declare every such prohibited meeting an unlawful assembly. He would propose, as an amendment, that it should not be lawful to prohibit or suppress any meeting peaceably convened and conducted, which met for the exclusive purpose of petitioning the King or Parliament for the redress of *bonâ fide* grievances in Church and State. It was not his purpose to go further than this. He wished to secure to the people, peaceably assembled, the right to petition against an existing grievance; and he would even throw upon them the burthen of proving that their meeting was exclusively and *bonâ fide* held for that purpose. He called upon the House to mitigate to this slight degree the despotic character of the measure under consideration. If they rejected his Amendment, could there be a doubt that the Bill was intended to protect a monstrous existing grievance—the payment of tithes by the Roman Catholics of Ireland to the Protestant Church? The hon. and learned Member concluded by moving the following Amendment:—"Provided always, That it shall not be lawful or competent for any Lord Lieutenant or other chief Governor of Ireland, by any such order, to prohibit or suppress any meeting convened or held, or to be convened or held for the *bonâ fide* and exclusive purpose of agreeing to or procuring, in a peaceable manner, a petition to the King or to either House of Parliament, for the redress of any actually existing grievance in Church or State, and provided that notice in writing of such meeting shall have been given to the Secretary of the Lord Lieutenant, or other chief Governor or Governors of Ireland, or in his absence to the under Secretary, stating, in such notice, the day, hour, and place of holding such meeting for the purpose thereof, ten days before the day of holding the same."

Lord *Althorp* objected to the proposed Amendment, because it would defeat he whole purpose for which the clause was framed. The object of the clause was to give to the Lord-lieutenant the power to suppress any meeting which he conceived to be dangerous to the public peace. The hon. and learned Member's Amendment would have the effect of rendering that power nearly nugatory; because meetings of a very mischievous character might be convened under the pretence of petitioning against grievances. Who, he should like to know, was to decide whether a meeting was called together for the *bonâ fide* purpose of petitioning? He admitted, that the clause gave unconstitutional powers to the Lord Lieutenant, but the hon. Member's Amendment, instead of mitigating its provisions, would entirely destroy them; for its effect would be to prevent the Lord-lieutenant suppressing any meeting, let its real object be what it might, provided it was convened for the ostensible purpose of petitioning.

Mr. *O'Connell* asked the House, whether some limit ought not to be put to the despotism of the clause? Ought there not to be the limit of complaint? He knew not when the power of complaint was more necessary than when despotism was established.

Mr. *Henry Grattan* said, that the powers given to the Lord-lieutenant by this clause were so vast and unlimited, that he believed that officer might prevent any convivial meeting at which he fancied political toasts would be drunk. He also thought that the order prohibiting any assembly should be publicly made known, so that the parties against whom it was issued might be aware that they would be acting illegally by meeting. He would, therefore, suggest, that certain words be added to the clause, requiring due notice to be given by public proclamation of the issue of an order for the suppression of any meeting; and likewise preventing the Lord-lieutenant from suppressing any peaceable assembly, met for the purpose of petitioning, provided that public notice of such meeting had been given, signed by twenty householders, and delivered to two Magistrates of the neighbourhood, specifying the time and place of meeting.

The *Solicitor General* said, that the Amendment proposed by the hon. and learned member for Dublin was wholly inconsistent with the spirit of the clause. The hon. and learned Member proposed to allow any number of persons to assemble, provided their object was to petition against a grievance. Now, who was to say what was a grievance? The hon. and learned Member thought the Established Church a grievance—some thought absenteeism, and others the want of Poor-laws a grievance. The proposed Amendment would nullify the whole clause. In 1825, when a Bill was passed to put down illegal associations in Ireland, the very exception now suggested by the hon. and learned Member was introduced, which rendered the Act wholly inoperative; and the evil went on increasing until the year 1829, when a Bill was passed without that exception, and the consequence was, that the Catholic Association was then put down. He admitted that the clause was despotic; but if it was required by the circumstances of Ireland—if it was necessary to put down the Volunteers—it had better be passed as it stood, than in such a modified form as to be rendered of no effect. In considering the clause, it should always be borne in mind that the Lord-lieutenant would exercise the powers intrusted to him under the liability to impeachment for their abuse.

Mr. *O'Dwyer* trusted the House would adopt the proposed Amendment, and thus mitigate in some degree the severity of this horrible encroachment on the Constitution. As for the responsibility of the Lord-lieutenant alluded to by the Solicitor General it must evidently be a mere name, for he was authorised at any time to prohibit a meeting *ex mero motu* and all that could ever be said against him was, that he had committed an error of judgment.

Mr. *George F. Young* was willing to intrust all powers rendered necessary by the state of Ireland to the Lord-lieutenant; but he was ready to give his consent to any Amendment having for its object the preservation of one of the most sacred and constitutional rights of the people, provided it could be shown not to neutralize the effect of the clause. He would certainly vote against the Amendment of the hon. and learned member for Dublin, because he believedit had been proved that that would nullify the clause; but he should like to know whether something in the nature of the hon. member for Meath's (Mr. Grattan's) proposition might not be adopted.

Mr. *O'Connell* said, he was ready to adopt the suggestion of his hon. friend the member for Meath (Mr. Grattan), and had no objection to add to his amendment that three days' notice should be given of such meeting to the Lord-lieutenant, if held in the county of Dublin, or ten days' notice to the Lord-lieutenant of the county, or his deputy, if the meeting was to be held in any other county. The Committee would understand, therefore, that, according to his amendment as it was now shaped, to render a meeting lawful, it must be peaceable—held for the *bona fide* purpose of petitioning against an existing grievance, and after full notice to the Lord-lieutenant. It was for the Committee to say whether they would refuse the right of petitioning, even with such restrictions? That which he asked the Committee to guard against was admitted by the Solicitor General to be an impeachable act, and yet it was now proposed to give the Lord-lieutenant the power of doing it with impunity. He would be satisfied to add to the clause a proviso by which it should be made necessary to give three days' notice in Dublin, and in the country ten days,' of meetings to be held for the purpose of petitioning against the specific and *bona fide* grievances which his proposition was intended to give the power of petitioning against.

Mr. *Cutlar Fergusson* was of opinion that the hon. and learned member for Dublin's Amendment was inconsistent with the clause, and contrary to what he stated was his wish. Conceiving that the power which the clause conferred on the Lord Lieutenant was necessary for the efficacy of the Bill, he should oppose the Amendment.

Mr. *Thomas Attwood* thought it would be very dangerous to establish a law in Ireland which might serve as a precedent to be applied to England to-morrow. He would support the Amendment, which would leave the Bill efficient for every honest purpose.

Mr. *Ward* grieved for the necessity of such a Bill, and such a clause, but believing in the existence of the necessity, he would oppose the Amendment. They had been told to look at the petitions; he had looked at them very particularly, and believed that no question which so deeply affected a nation was ever characterised in such cautious and guarded terms as the measure was in those petitions. Almost all of them had originated with the Political Unions [*No, no*]. Five-sixths of them which had been presented against this measure originated with, or were got up in some way or other, by Political Unions.

Mr. *O'Connell* said, that the hon. Member, like his Majesty's Ministers, had of late contracted a mighty dislike to Political Unions. He remembered when those Unions were defended by the right hon. Gentleman opposite; and the hon. Gentleman would probably live to be old enough, if this precedent were adopted, to see the liberties of England endangered:—190 petitions were presented this morning, against the Bill: he presented fifty himself in less than twenty minutes, an example worthy of being followed—190 petitions, signed by thousands and tens of thousands of English and Scotchmen, and by upwards of a million Irishmen, were this morning presented against the Bill—there was not one in favour of it. One of the mischiefs which rendered a domestic legislature the more necessary in Ireland was the want of sympathy which the leading newspapers evinced for her condition, and the shameful and barbarous manner in which they exaggerated every fact against her. When the principles of this Bill came to be distinctly understood, he knew nothing of the people of England, if they did not point with unqualified and unmixed detestation to a measure which was to deprive their Irish fellow-subjects of the benefit of the *Habeas Corpus*—to suspend the Trial by Jury, to put down the Liberty of the Press, and to subject them to that most hateful of all tyrannies—domiciliary visits, and many other provisions of the same kind, to all of which the hon. Gentleman who spoke last considered himself pledged. But at present he was pledged to nothing, for as yet not one section of the Bill had been passed. Notwithstanding what the noble Lord and the hon. and learned member for Kirkcudbright—whose opinions he must esteem, had said—he maintained that his Amendment would not destroy the spirit of the clause, while it extracted some slight portion of its venom. The hon. and learned Solicitor General was very much mistaken when he stated that Acts of equal severity had been passed for Ireland. No measure so arbitrary and severe as this was ever prepared for Ireland, even by the Tories. It was true, that a very strong measure was passed in 1825; but under it the people were allowed to meet for fourteen days continuously, for the purpose of petitioning. That measure was intended to prevent Catholic emancipation: did it effect that object? Was not Catholic emancipation carried in spite of it? What was meant, then, when it was said that it worked well? The question now was—Supposing the Committee ready to give to the Lord Lieutenant power to suppress every kind of meeting whatever, would it not make one little qualification—namely, if a meeting took place for the *bonâ fide* and exclusive purpose of petitioning for the redress of a grievance, on giving ten days' notice to the Lord Lieutenant, or, in his absence, to his Secretary, of the intention to hold that meeting; would the Committee not allow that to be an exception? Was Ireland to be completely outlawed?

Mr. *Pryme* said, that no man felt more than he did the injury which the agitation of the question of the Repeal of the Union had effected; but he could not see, that that was a sufficient reason for the suppression of meetings for the repeal of grievances. The question before the Committee simply was, whether the clause was necessary to the peace of Ireland. He did not think it was, and, unaltered, he would not vote for it.

Mr. *Hume* asked, what would be the consequence if they did not agree to this Amendment? If they did not allow the people to meet, and to state their grievances, the refusal of that constitutional right would give rise, more and more, to insubordination and disturbance. He would ask of the noble Lord whether his object, that of pacifying the people and restoring tranquillity, would be forwarded by such a proceeding? On the contrary, would not the putting down of public meetings in this arbitrary manner render the people more and more discontented? The disturbances that afflicted Ireland arose from grievance and oppression; and should not the people of that country be allowed, by petition, to place before the House whatever grievance or oppression they had to complain of? They ought to be cautious how they permitted even small inroads on the Constitution. They extended from day to day, and, at length, one by one, the liberties of the people were sacrificed. He meant not to defend meetings which assembled to disturb the peace and quiet of the whole community, but, in the language and words and meaning of the Amendment, he would contend, that when any portion of his Majesty's subjects wished to meet peaceably, and intended, at such meeting, merely to state to that or to the other House of Parliament any grievance by which they were oppressed, it was against the most sacred and valuable privileges of the Constitution to prevent them from assembling. In 1825, when a bill was brought in, the object of which was to put down the Catholic Association, Mr. Brougham, with reference to that measure, spoke thus:—'I am the advocate of the right of the Irish people to 'meet, to consider, to plan, to petition, to 'remonstrate, to demand; and my frank 'opinion is—an opinion which I set out 'with avowing, and, which, I trust, will 'reach the whole of Ireland as well as the 'whole of England—that the more energetic their remonstrance, provided that it 'be peaceable—the stronger the language 'they use, provided it be respectful—the 'more firm their port, the more lofty their 'demeanour, the more conformable will it 'be to the high interests of those who have 'all at stake which can render life desirable, 'or existence honourable; and infinitely 'more likely to succeed than any abject 'course which would imply self-distrust, or 'self-conviction of error.'* Was it possible, that he who had thus spoken, one of his Majesty's Cabinet Ministers, could now sanction the carrying, with fearful haste, a measure which took away the protection derived from the right of petitioning, and rendered null and void one of the most important privileges of the people? Was that the way to allay disorders—was that the mode by which they hoped to prevent mischief? This measure might produce temporary quietness; it might effect temporary pacification; but, at a future time, those who supported such a system might be overwhelmed by the excitation fomented by this measure, and by the vengeance demanded for the infraction of rights which were the inherent property of England and of Ireland.

Mr. *Sheil* said, that by the Amendment moved, no meeting could be held without ten days' notice, and then, in all cases, notice was required to be given to the Lord Lieutenant. This was to be the case in the proclaimed districts; but what, he would beg to ask, what was to be the law where the district was not proclaimed? He begged to put that question to the noble Lord, and he should be happy to see that the noble Lord had as much sympathy with the people of Ireland as he once showed to the Creoles. He begged to ask the noble Lord, if the Lord Lieutenant was to have the power of preventing meetings in the districts not proclaimed? As the clause now stood, he understood, that the Lord Lieutenant had the power. Then it followed that the Lord Lieutenant was to know by intuition what was to be said at meetings; he was to know it by anticipation. The people of Ireland were, in fact, to have no right to meet for the purpose of petitioning, either in the proclaimed districts, or those which were not proclaimed. He, at least, saw no difference in this respect between the proclaimed and the other districts. Those who opposed this measure were told that they ought not to refer to what took place in 1819. He, however, would glance at what was done at that time; premising that there was nothing so harsh in the Six Acts then passed as was to be found in this measure. Was there anything to be found in those Acts like placing an immense power—the power to prevent public meetings — in one man's hand? No such thing was then done. It was enacted that not more than fifty persons should meet, unless notice was previously given to two justices of the peace. And had they the power to prevent such meeting? They were intrusted with no such authority. The power given to the English justices was, to change the place of meeting, and nothing else. Gentlemen had told them, that in 1829, when they sat on that (the Opposition) side of the House, they had voted for a coercive measure, because it was accompanied by a condition that was agreeable to them, and advantageous to the great body of the people of Ireland. But was the present measure accompanied by any condition? [*Yes*] What was that condition? It was that, after this Bill had passed into a law, they were left to the caprice of another part of the Legislature, either to carry or to reject the Irish Church Reform Bill.

Mr. *Cayley* would support the whole Bill, because there were remedial measures in the contemplation of the Government for the improvement of Ireland, which he was sure every English Member would support.

Mr. *Lambert* begged to ask, if it was to be in the power of the Lord Lieutenant to suppress a meeting in any district of which he had received no notice?

Mr. *Hall* said, that the Amendment of the hon. and learned Member anticipated one which he had given notice that he would move on the 9th clause. He thought that no individual whatever should be intrusted with such power as this clause conferred upon the Lord Lieutenant of Ireland, and he feared that the Amendment, in its present shape, would sanction the power conferred by the clause itself of enabling the Lord Lieutenant to put down any meeting for the purpose of petitioning. He also thought that the conferring of such powers was only calculated to widen the breach between the people of Ireland and the constituted authorities of that country. (*Calls of* "*Question.*")

Mr. *O'Connell* did not think he could be suspected of any intention to sanction such a power.

Mr. *Tennyson* said, that the impatience of the House should not prevent him from expressing his sentiments. He had been fourteen years in Parliament, but he had never witnessed such extraordinary exhibitions in the House as had taken place in the course of the discussion on this Bill. The House, in fact, seemed determined to forfeit its character with the people. The personalities which had been indulged in were disgraceful,—and he particularly adverted to the conduct of the Members on that (the Ministerial) side of the House; for the Gentlemen on the other side of the House deserved the highest credit by the forbearing and courteous manner in which they had carried on the discussion. With respect to the Amendment, he should give it his decided support; for he disliked the clause which it went to improve. The clause, he would admit, resembled one which he had supported in the Proclamation Act passed in 1829; but he had supported that, because he considered it directed against the Catholic Associations, not against meetings for petitioning or other legitimate objects, while the clause in question was evidently directed against even meeting to petition. That was not the object of the clause he had formerly approved of. He protested against any infringement on the right of petitioning, and foresaw, that the power conferred by this clause might be perverted to stifle all the complaints of the people; it would drive the people to secret meetings, which would inevitably produce the worst consequences. In this view of the case, the Government would see, that their object must necessarily be defeated in the most objectionable manner. If the Lord Lieutenant did not know of the meeting, he could not prohibit it, and accordingly the Amendment of his hon. and learned friend, the member for Dublin, was well worthy of their consideration; that which he proposed, would secure to the people of Ireland the free liberty and power of originating a petition to the King in Parliament at a public meeting, while, if they gave to the Lord Lieutenant ten days' notice of such meeting, he might be prepared with all his civil and military force to put it down, should it turn out to be an illegal one, or be perverted to any other purpose. If such a power were given, undoubtedly, sudden or secret meetings might be called, but if the Lord Lieutenant received no previous notice, he might more fairly assume that such meeting was so held without notice, for some sinister object. If some such Amendment as this were not adopted, secret meetings would, doubtless, be held for petitioning, and, with a fair pretence, as no means would be afforded for obtaining a regular meeting, or any meeting which could make sure of its object;—and Government would constantly be in a state of doubt and anxiety respecting the conduct of the people. The Lord Lieutenant would frequently act against them from suspicion. Was that desirable? Was it desirable, that the civil power and the authority of the Government in Ireland should be continually and suddenly brought into conflict with the people. He thought that the Amendment would obviate the consequences which must be apprehended from such probable conflicts, and would reserve to the people of Ireland that constitutional and just power of petitioning, which it was the duty of that House, as the Representatives of the people, to maintain. It must be recollected, too, that this clause did not apply exclusively to the disturbed districts, but extended over the whole country, and into the most peaceable places. Accordingly, he should vote for his hon. and learned friend's Amendment, which afforded sufficient security to the Government; while it preserved the constitutional power of petitioning for a redress of grievances.

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* Hansard (new series) xii. p. 498.

Mr. *Stanley* denied, that this clause could or would be perverted to any such unconstitutional object as an infringement on the right of petitioning, by preventing legitimate meetings. The right hon. Gentleman was perfectly right in stating, that a clause in the Proclamation Act, similar to the present, had not been used to suppress petitioning, and if such were the case with respect to an act passed by a Tory Government; a slight stretch of the right hon. Member's powers of reasoning might have led him to the conclusion that the result would not be different in the present case. But although it was not meant to infringe the right of petitioning by this measure, it was essential in the present state of the country that the Lord Lieutenant should be constituted, in the first instance, the Judge of what was likely to be *bonâ fide* a meeting for the exercise of that privilege; it was for the Lord Lieutenant to decide, on his own responsibility, and from his knowledge of local circumstances, whether a meeting was called simply for the purpose of petitioning, or with a view to agitation and disturbance. The Lord Lieutenant would not be justified in suppressing a *bonâ fide* meeting for petitioning, therefore the Amendment was unnecessary, to say the least of it, but he must be allowed to exercise his discretion on the subject of the nature of the meeting. If he had not this discretionary power, to give which was the intent of the clause, the law would be inefficient and might almost as well not be passed. Any man acquainted with Ireland understood how easy it was, to convene a meeting as a *bonâ fide* meeting to petition, and turn it to seditious purposes, passing resolutions at it which might set all Ireland in a flame. The object of this clause was, not to punish violations of the law, but to prevent them. Such a power was indispensable. As for the Amendment, its only effect would be, to expose the Lord Lieutenant to odium, and impair the efficiency of the Bill.

Mr. *O'Connell* said, the right of petitioning was sacred; as to what the right hon. Secretary had said about no meetings for legitimate petitions having been interfered with under the power of the former clause, the reason was, that no one had ever attempted to get up a petition at that time; there was good care taken to prevent any such thing being attempted.

Committee divided on the Amendment: Ayes 85; Noes 246—Majority 161.

List of the AYES.

ENGLAND.
Aglionby, H. A.
Attwood, T.
Bayntun, John
Beauclerk, Major
Briscoe, J. J.
Brotherton, John
Bulwer, H. L.
Clay, William
Cobbett, W.
Collier, J.
Curtis, Captain
Ellis, Wynn
Ewart, William
Fielden, J.
Gaskell, D.
Grote, George
Guise, Sir B. W.
Hall, Benjamin
Hawes, B.
Hawkins, John
Hodges, T. L.
Hume, J.
Humphery, J.
Hutt, W.
James, William
Lister, Ellis
Molesworth, Sir W. E.
Morrison, John
Palmer, General
Parrott, Jasper
Potter, Richard
Pryme, Geo.
Rippon, C.
Roebuck, James
Romilly, John
Ryder, Thomas
Scholefield, John
Tayleure, W.
Tennyson, Rt. Hn. C.
Torrens, Colonel
Tynte, Kemys
Warburton, H.
Wilks, John
Williams, J.
Wood, Ald.
Young, G. W.

IRELAND.
Baldwin, H.
Barron, W.
Barry, G. S.
Bellew, R. M.
Butler, Hon. P.
Daunt, W. J.
Finn, W. F.
Fitzsimon, W.
Fitzsimon, C.
Fitzgerald, F.
French, F.
Grattan, J.
Grattan, H.
Lalor, Patrick
Lynch, A. H.
Maclaughlin, L.
Macnamara, W. N.
O'Brien, Col.
O'Connell, D.
O'Connell, Morgan
O'Connell, J.
O'Connell, C.
O'Connell, Maurice
O'Connor, Don
O'Connor, Fergus
O'Dwyer, A. C.
Roche, D.
Roche, W.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Sullivan, R.
Vigors, N. A.

SCOTLAND.
Ewing, James
Gillon, W. D.
Maxwell, J.
Oswald, R. A.
Oswald, James
Pringle, Robert
Wallace, Robert

Mr. *Lynch* proposed the insertion of a proviso at the end of the first clause, to the effect that the Act should not be construed to extend, or in any manner to affect meetings of counties, or divisions of counties, called by the Lord Lieutenant, or the Sheriff of the county, or by four Magistrates; and that it should not extend to any public meeting in any borough or town corporate, called by the Mayor or other constituted authorities, or to any meeting of any ward or division in such boroughs or towns corporate, when so convened.

Mr. *Stanley* said, that such a proviso was unnecessary, as the hon. Gentleman and the House might rely upon it that the Lord Lieutenant would not exercise the powers confided to him by this Bill so as to interfere in an improper way with the subject's right of petition. If, however, the hon. Member would allow this proviso to stand over till the report on the Bill, so as to give time to the Government to consider the proposition, he would not say that he would then object to the insertion of at least the first portion of the proviso.

Mr. *Lynch* would, under such circumstances, allow the proviso to stand over until the bringing up of the Report.

The Chairman put the question, that the first clause should stand part of the Bill.

Mr. *O'Dwyer*, acting from a feeling of duty, rose to protest against the clause. He maintained, that the chief cause why Great Britain had escaped those revolutions, which, in modern times, had desolated other countries, was, that the people possessed a quiet and lawful means of making their opinions known. The hon. Member begged leave, in support of this view to direct the attention of the House to the following passage from the writings of De Lolme, whom he considered to be admirable authority in all that related to the Constitution:—'A complete security 'is insured to those numerous and irregular meetings, which, especially when 'directed to matters of government, creates 'so much uneasiness in the sovereigns of 'other countries. Individuals even may, 'in such meetings, take an active part for 'procuring the success of those public 'steps which they wish to see pursued: 'they may frame petitions to be delivered 'to the Crown, or to both Houses, either to 'procure the repeal of measures already 'entered upon by Government, or to prevent the passing of such as are under 'consideration, or to obtain the enacting of 'new regulations of any kind: they may 'severally subscribe their names to such 'petitions; the law sets no restriction on 'their numbers; nor has it, we may say, 'taken any precaution to prevent even 'the abuse that might be made of such 'freedom * * * Such meetings may 'be repeated; and every individual may 'deliver what opinion he pleases on the 'proposed subjects.' He entreated his Majesty's Ministers to listen to what followed; because it so exactly described their own situation a few months since:—'The disappointed statesman, the minister 'turned out, also find the door open to 'them; they may bring in the whole 'weight of their influence and of their 'connexions; they may exert every nerve 'to enlist the assembly in the number of 'their supporters; they are bidden to do 'their worst; they fly through the country, 'from one place of meeting to another—'the clamour increases—the Constitution, 'one may think, is going to be shaken to its 'very foundations—but these mighty struggles, by some means or other, always find 'a proportionate degree of re-action. New 'difficulties, and, at last, insuperable impediments grow up in the way of those 'who would take advantage of the general 'ferment, to raise themselves on the wreck 'of the governing authority—a secret force 'exerts itself, which gradually brings things 'back to a state of moderation and calm; 'and that sea, so stormy, to appearance, 'so deeply agitated, constantly stops at 'certain limits, which it seems as if it 'wanted the power to pass.' This clause of the Bill would prevent public meetings in Ireland, and produce bloodshed, violence, and revolution. There was already, he could assure them, a gathering of discontents in Ireland. There was a natural antipathy in the people, which this sort of brutal coercive legislation was whipping into earnest and deadly hatred. If they valued the connexion with Ireland, they would hesitate before they passed a Bill like this. He, therefore, felt bound to oppose it.

Mr. *Fergus O'Connor* also opposed the clause. By whom, he asked, were the powers which the Bill conferred, to be exercised? By an irresponsible body. What satisfaction was it to the Irish when their liberties were crippled, to be told that they might trust the Lord Lieutenant? It was a mockery of justice. What now became of the boasted Constitution, if that might be practised? What became of that which had bound Ireland to England, by the ties of sisterhood and affection—when, just as the cup of hope and of affection had been raised to her lips, and dashed from her hands, she was told, that the misgovernment of unreformed ages was to be established and confirmed by the first Reformed Parliament? What state must the Irish be in, when they asked to go back to the old tyranny — when they implored the Parliament for the blessings of packed Juries, and the summary operation of the law? Even these evils were preferable to Courts-martial, and to hiding-holes, into which any one might thrust an Irishman. If any part of Yorkshire were disturbed, would any Member consent to apply such a measure as this to London? Certainly not; and was not that a parallel case? No man could deny it. When had any disturbance arisen from a meeting in Ireland? He had presided over many—over 200,000 persons—hastily called together under the sanction of the right hon. Secretary, at a time when the voice of agitation was music in his ears; and all was peace and quiet. They had no banners with a bloody knife hanging over a king's head; there was no exciting people to rebellion. No such thing. Why not suppress such meetings when they occurred here, and threatened the State with ruin? Why was not a measure like this introduced in 1817, when some such notice as this was posted on the walls of London:—"Have a care. Britons to arms! The whole country watches the signal from London; 'arms!' Break open the gunsmiths' shops, and other likely places to find arms. No Regent! No Castlereagh! Off with their heads! No Church! No tithes! No inclosures! No Bishops! Now is the time! Free, free yourselves, or you are slaves for ever! N.B. Five thousand of these bills are up in town and printed. Further particulars in the next." Did Lord Castlereagh come down to this House with one of these bills in his hand, and propose Martial Law for England? No; Lord Castlereagh, even, never attempted such a measure as this. This was such a brutal Bill, that if it should be passed it would cause the people of Ireland to be in love with their former misgovernment, and to embalm even the memory of Lord Castlereagh in their grateful recollections. The more brutal, bloody, and despotic such a measure was, coming as it did from the first Reformed Parliament, the better, as it would show the people of Ireland what they had to expect from them.

Colonel *Perceval* said, before the Committee came to a vote expunging that part of the clause which he thought most beneficial—namely, taking the great political offenders out of the operation of the Bill; persons who were the great causes of all the miseries that afflicted Ireland, he must enter his protest against such a course. It was now proposed to submit these offenders to the operations of the common law; now, if the common law were sufficient to grapple with them, what reason could there be for proposing the present measure? Nothing reconciled the Bill to those with whom he acted, but the knowledge that the common law was insufficient. In giving his support to the first reading of the Bill, he had implored the right hon. Gentleman not to permit its provisions to be frittered away; but he regretted to perceive, that even in the very first clause, the right hon. Gentleman had conceded to the enemies of all order. It would be competent for the Volunteers to enrol themselves, and unless they were guilty of some atrocity, they could not be brought under the operations of the Bill. Impressed with this conviction he must enter his protest against the first deviation from the principles of the Bill as he had agreed to it.

Colonel *Torrens* wished to state the grounds of the vote which he should give, that the clause, as amended, do not stand part of the Bill. Many hon. Members assented to this and to other clauses of the Bill, because they had confidence in his Majesty's Ministers. Now this was the very reason why he dissented from the Bill. He had confidence in his Majesty's Ministers; he believed that those men who carried the Reform Bill for England would not halt in their patriotic career until they had done justice—full and complete justice to Ireland; and he believed that when full and complete justice should be done, political discontent and agitation would expire with their cause; that this coercive measure would prove a dead letter upon the Statute-book, and that the time and labour devoted to these protracted and angry discussions would turn out to be so much time wasted, and so much labour thrown away. This clause, in its amended, as well as in its original form, was intended to put down political agitation. Now, the question was, had any case been made out to warrant the severe, he might say the monstrous provisions which, even in its amended form, this clause contained? He thought no case had been made out. On the first night of these debates he had listened with riveted attention to the powerful, the commanding, speech of the right hon. Gentleman the Secretary for Ireland; and during the momentary impulse he felt almost persuaded that a sufficient case had been made out. But when, in the calmness of the closet, he reviewed the facts and the arguments of the right hon. Gentleman, stripped of the splendid and dazzling drapery by which they had been at once adorned and obscured, then he arrived at the conclusion, and was impressed with the conviction, that the right hon. Gentleman had, indeed, succeeded in making out an irresistible case, but an irresistible case against himself. The right hon. Gentleman had told them, that since he had had the management of Ireland, political agitation, discontent, aud outrage, had gone on increasing. It appeared by his own statements, that before he asked for increased coercive powers, he sent out Special Commissions to put down disturbance, and those Commissions were attended with complete success; and it further appeared from the right hon. Gentleman's own showing, that after the late Parliament had, in an evil hour, consented to grant him increased coercive powers for levying tithes, the law had become powerless, and his Special Commissions were sent out in vain. Was this a ground upon which the Reformed Parliament should be called upon to grant a further increase of coercive power? What did the argument of the Secretary for Ireland amount to? Simply to this, "experience has shown that increased coercion has increased discontent and disturbance, and, therefore, increased coercion would abate discontent and disturbance." When stripped of the copious and powerful rhetoric with which it had been clothed, the argument of the right hon. Secretary for Ireland was reduced to this stultifying proposition, that in order to remove the effect we must increase the cause. He would vote, not only against the first clause as amended, but also against all the other clauses of a measure which would be unnecessary if full justice were to be done to Ireland; and which, if justice were not to be done, would only aggravate the evils it was intended to remove.

Mr. *Cutlar Fergusson* thought, that they should not go on with the Bill without carrying the remedial measures forward hand in hand with it. The House was to blame in having lost so much time last night upon a mere matter of form, instead of hastening forward, as it was its duty to do, the remedial measure of Church Reform as quickly as possible. For his part he would prefer the revival of the bill against the Catholic Association to the measure now before the House. He thought the suggestion of the hon. and learned member for Monaghan (Mr. Perrin) should be attended to, and that the clause should be altered so as to give the Lord Lieutenant of Ireland the power of dispersing the meetings which it was the object of this Bill to put down; but he should not have the power, which the Bill at present gave him, of creating it a misdemeanor to attend those meetings. By one clause of the Bill, the Justices, when they directed a meeting to disperse, would only have the power to punish those who remained in defiance of the law with three months' imprisonment; while by this clause, those who went away—who obeyed the prohibition and dispersed—might be punished with five years' imprisonment. Thus the real offenders would escape with a very trifling punishment, while those who had ignorantly and innocently attended the meeting, or went away when they were bid, would be severely punished. He wished the punishment to be fixed by the clause, and that a more severe punishment should be assigned to those who refused to go away than to those who dispersed. He was well aware that it was absolutely necessary to suppress the meetings and associations that at present existed in Ireland. Every friend to constitutional liberty must desire to see such assemblies put down, for they injured its cause, and were incompatible with its existence. It was obvious to any one at all acquainted with the laws or Constitution of this country, that an association like the Volunteers of Ireland—the object of which was to overawe the Legislature, and to compel it to pass such and such measures—for instance, the Repeal of the Union—could not be suffered to exist. It was with that feeling, and under that impression, that he thought power should be given to the Lord Lieutenant to prevent meetings which he might consider dangerous to the public peace. The object of the Bill he understood to be, to put down associations and meetings in Ireland, which, if allowed to go on, and to grow to maturity, must inevitably end in the destruction of the Constitution. He hoped, however, that the suggestion of the hon. member for Monaghan, to which he had already adverted, and which he thought would be sufficient for the purpose, would be inserted in the body of this clause.

Mr. *Ruthven*, adverting to a notice of motion given in the early part of the evening by the hon. member for South Durham, deprecated any precipitate interference with the currency of Ireland, such as that of making the Irish Bank notes a legal tender, which could have none but the most injurious effects [*Question*].

Mr. *Pease* informed the hon. Member that he had withdrawn his notice.

Mr. *Ruthven* knew that: but it was sufficient to excite alarm that such a notice had been placed on the Books of the House. It would be carried to Ireland by that evening's post, and would very probably cause an immediate run upon the banks. He was not one of those who wished to ruin the banks.

Lord *Althorp* submitted to the hon. Member, that he was discussing a question not then before the House.

Mr. *Ruthven* contended that he was strictly in order. He was merely pointing out the consequences which would result from such a proposition. He saw that the House was not disposed to listen to him, and therefore he would merely repeat, that the very agitation of such a measure would cause a run on the bank, instead of preventing it.

Mr. *Cutlar Fergusson* inquired whether

in the case of a meeting being held in Dublin, and orders being issued by the Lord Lieutenant for its suppression, any person attending such meeting without knowing its illegality, would be liable to punishment?

The *Solicitor General* said, that it was proposed to introduce into the Bill a provision rendering it necessary that a public notice should be given of the Lord Lieutenant's intention to prohibit the meeting, and it was only after such public notice that any person attending the meeting would be liable to be tried for a misdemeanor. In his opinion, a person circumstanced as had been supposed, would have a clear defence against the penalties of the Bill. But he begged to remind the hon. Member, that, by the common law, the fact of being present at an unlawful meeting constituted an unlawful act, though the person present might have had no knowledge of the illegal nature of the meeting. He thought the fixing of the punishment at two months' imprisonment would be injurious, inasmuch as there might be different degrees of guilt. One man might do little, another a great deal; he might say, "what do I care for the Lord Lieutenant? I'll resist any force he sends here." These two persons would deserve different degrees of punishment.

Mr. *Pease* said, that ever since he had taken his seat upon that (the ministerial) side of the House, he had become a mark for every one to shoot at; but he should, nevertheless, do his public duty fearlessly. Though he had many objections to different parts of the measure then before the House, he would, notwithstanding, give his support to the first clause. It did not, in his opinion, interfere with the right of petitioning. Two or three persons might frame the petition, and then procure the signatures of every individual in the town or district. He firmly believed that his Majesty's Ministers had no disposition to invade the liberties of the subject, and he should give his vote for this clause in the most perfect confidence that by so doing he was fulfilling his primary duty in supporting the King and Government.

Mr. *Roebuck* said, that according to the wording of the Act, no person was to be considered guilty for attending a prohibited meeting until he refused to depart.

The *Solicitor General* observed, that any person who, after knowing a meeting to have been prohibited, should attend it, would, under the Act be guilty of a misdemeanor, independent of his refusal to disperse upon the requisition of the Magistrates.

Mr. *Roebuck* said, he objected to the whole clause, which he was convinced was, in fact, levelled against the hon. member for Dublin, and was intended to put him down. He did not, however, think that the attempt would be successful. Might not an account of a meeting which never took place be published? Might not the speeches and sentiments said to have been delivered at it be given forth to the world? If the inflammatory language delivered at meetings were the thing most dreaded, from the effect it was supposed to have upon the people of Ireland, how was the promulgation of such a fictitious account to be prevented by the Act?

Mr. *Aglionby* said, he entirely coincided in the remarks made by the hon. member for Kircudbright, and considered his objection fatal to the clause.

Mr. *Cobbett* rose to declare, that he should vote against the clause, as he would against the entire law, however amended or altered. He resisted it because its direct tendency was to take from the Irish people the right to petition, and because it was a stepping-stone to the introduction of a similar measure into England. Everything would be done to narrow it and destroy it by degrees. But he would on this, as on all occasions, endeavour to do justice to his Majesty's servants; if they attacked the rights of the people, it was because they could not maintain their system without destroying them. They had two courses before them—redress of grievances, or deprivation of right. The former they were resolved not to grant, and, consequently, they were compelled to attack the rights of the people. Though, therefore, they might become tyrants, it was from necessity; and the question would be, whether the nation would submit to their system. The member for South Durham (Mr. Pease) deserved the thanks of the country for having let out so much of the real state of the case. The reasons he had given were perfectly understood, the whole matter was quite plain to him; and to show his gratitude to the hon. Member for the service he had rendered, though without intending it, he would tell him an American story. During that wăr, which he (Mr. Cobbett) should always consider a rebellion—though the right hon. Secretary for Ireland, and the hon. member for Leeds, pronounced it a glorious revolution—two men, lovers of peace, who would not engage in war—no! not for the whole world—men who would not touch a hair on the head of a human being—but who were persons of exceeding loyalty, offered, from their extreme attachment to their King and his Government, to conduct the British army into the American camp; but that Washington, who was so much praised by hon. Gentlemen, seized those loyal persons, and hanged them on one of the highest trees in the country.

Mr. *O'Connell* had heard of such a thing as passive resistance amongst loyal men, and there were many friends to the King and his Government who refused to pay tithes. They were very loyal subjects, but they refused to pay tithes. Why should not others act in the same manner? In fact, the moment he saw the hon. member for South Durham, he prophesied that he would be soon in the middle of the Treasury Bench, and the prophecy was likely to be accomplished. He would now state the nature of the first clause, which was utterly misunderstood. Would it be believed that no promulgation of the Lord Lieutenant's order to suppress a meeting was necessary? [*No!*] He repeated it, that no promulgation was necessary, and defied any man to point out a word in the Statute requiring it. He defied any lawyer to show that the order might not be verbal—by word of mouth—in short, in any mode the Lord Lieutenant might please to utter it [*No!*]. He again defied any person to contradict him.

Mr. *Stanley* wished to observe, that during the absence of the hon. Member, the Solicitor General stated that words were to be introduced into the clause, rendering the promulgation of the order necessary.

Mr. *O'Connell* was arguing on the clause as it stood in the Bill, and the right hon. Secretary had contradicted him, when speaking of the contents of the Bill in his hand, though the right hon. Gentleman now admitted that such words were to be introduced into the clause. He would appeal, however, to the Chairman, and ask whether it was not then impossible to introduce anything into the clause? [*Chairman assented*] Yet this Bill had not come suddenly upon the House. It had been prepared by the first Equity Judge of the land—had received the sanction of the other House, and of his Majesty's Ministers. Let them observe the nature of the first clause: the order suppressing a meeting might be verbal—it might be issued while the meeting was actually holding. No promulgation of it was necessary—no notice of the illegality of the meeting was required; and yet under such circumstances, two Magistrates were to decide whom they should send to prison for two months. This was the nature of a criminal offence in Ireland. By virtue of an order, delivered in any manner the Lord Lieutenant pleased, and at any time, a man attending a meeting in the remotest part of the kingdom might be imprisoned by a Magistrate for two months. The hon. member for South Durham said, the right of petition was not extinguished in Ireland: to be sure it was not if they licked the hand that struck them. If they crouched submissively before injury and insult, and praised those who dealt out scorn and wrong, they would be allowed to petition; but if they acted a free and manly part, they would be declared criminals by an order issued behind their backs, and without notice. Let them recollect to whose hands their liberties were to be committed. To a Lord Lieutenant, who complained to the hon. member for Cork, that the people of that county did not take off their hats to him when he passed. Such was the man who was to have unlimited power in Ireland. Again, suppose a meeting prohibited; any continuation of it by the same persons or any part of them became illegal under the Bill; so that, should any fancied similarity ever appear between the words or acts of a meeting and one formerly prohibited, or should some persons, no matter how few, who had been present at the former, attend at the latter, a packed Jury would be easily found to declare it a continuation of the prohibited meeting. In fact, there was no meeting in Ireland that was not at the absolute control of the Lord Lieutenant. But even the mode of petition suggested by the member for South Durham was not free; he spoke of two or three persons assembling to frame a petition, but two persons constituted a meeting, and therefore came under the grasp of the Bill [*No, no*]. He asserted that it was so. He contended, that under the rigorous provisions of the Bill, any one person meeting another in the streets, after the promulgation of an order, would be liable to be tried, and a packed Jury could easily be procured to convict him. Nay, the circumstance of a man visiting his friend at his house might be construed into a meeting. [*No, no.*] He contended it might. He would re-assert, that two persons constituted a meeting; nay, more—that two persons would constitute part of a prohibited association, and should they meet, it would, to all legal intents and purposes, under the Bill, be a meeting of that association; his Majesty's Government appeared to pay too little attention to the opinions of the people. They should remember, that when they were thrown out of office, the Irish and English people forced them back and kept them in office. By their subsequent acts, however, they had totally lost the confidence of the Irish, and he thought they were fast losing the confidence of the English. At all events, he was sure of this, that they deserved to lose it; and the very men whom they were now dragging through the mire of despotism with them, would be the first to blame their conduct when the feeling of the people displayed itself. The clause declared, that meetings should be prevented on the order of the Lord Lieutenant. Now he should like to know what was the meaning of "order?" How was it to be expressed? In what manner was it to be made known? He knew what an order was in a Court of Justice. There it was a rule of Court, and the record of it was faithfully preserved. A military order was entered on the orderly book; but what the order of the Lord Lieutenant was to be he knew not, except it was his single *fiat* given in any words in which he might choose to convey his meaning. The nature of the power given to the Lord Lieutenant was, to enable him to declare what meetings were illegal. The clause enabled him to prevent any meeting dangerous to the public peace or safety, or inconsistent with the due administration of the law. Now, did hon. Members imagine that the Lord Lieutenant would confine the exercise of his power to such meetings? He would say, that it did not require that Act to enable the Lord Lieutenant to do so. He had that power already. All such meetings were clearly illegal, and all illegal meetings might be put down by Common Law. That opinion was given by Lord Redesdale, who opposed the Bill of 1829 directed against the Catholic Association, on that very ground. Lord Eldon had also expressed a similar opinion. Why then should they give that Magistrate the power of putting down other meetings? Why should they give him the power of suppressing innocent meetings? This was what the people of Ireland had to apprehend. Even all charitable meetings might be suppressed. The fate of 2,500 orphans might depend upon it. It was said, that politics were discussed at these meetings. They generally were; but it was requisite that some exciting topics should be alluded to, in order to induce people to be present. The real object, however, of the Bill was to put down agitation for Repeal of the Union. Its object was to put down the Volunteers and all associations of the people. It had been said, that the Volunteer Association was an illegal one; but the instant that could be proved it should be given up. The number of Members was very limited; but it was said, that it was intended to be more widely spread. It was so, and one of its main objects was, to form a sort of domestic association in the disturbed districts, to put down Whitefeet outrages. If their object was to put down the agitation for the Repeal of the Union, this Act might enable them to accomplish their purpose; but would they, by so doing, put down the desire for that Repeal. If it was the object of the House to put down the desire for Repeal, was it by exhibiting such a striking difference between the treatment of England and Ireland that they expected to obtain their end? Was it by a sort of Irish reciprocity—all on one side? Was it by giving liberty to England, and despotism to Ireland? The Irish were a shrewd, observant people; and what, he asked, must be the result of this? He would venture to prophesy that for one repealer, who at present existed this Bill would create one hundred. Under these circumstances, he objected to this clause.

Mr. *Stanley* observed, that the House might well be weary of the debate. He should say but a few words, in order to recall the attention of the Committee to the proper topic. The hon. and learned Gentleman had been arguing upon the supposition that the order of the Lord Lieutenant was to be a verbal order, although he knew that a distinct pledge had been given by the Government that that should be obviated. He should not, however, follow the hon. and learned Gentleman into all his quibbles, and special pleadings, and arguments founded upon the supposition that two persons talking together could be considered an illegal meeting. The words of the clause were, "any association, assembly, or body of persons in Ireland, which he or they shall deem to be dangerous to the public peace or safety, or inconsistent with the due administration of the law, and by the same, or any other order, also to prohibit every or any adjourned, renewed, or otherwise continued meeting of the same, or of any part thereof, under any name, pretext, shift, or device whatsoever." If the adjournment had not been provided for, the principal part of the clause would have been a dead letter. The Bill did not oppose itself to charitable meetings. But if the hon. and learned Gentleman made use of those charitable meetings merely as a pretext—if he introduced fierce political discussions on exciting topics—then he would say it was right to provide in the Bill against such an evasion. On behalf of himself and his colleagues, he repudiated the charge of endeavouring to put down any charitable associations. Another of the hon. and learned Gentleman's arguments was founded on the assumption that the law, as it at present stood, was capable of putting down all illegal meetings. But he would ask the hon. and learned Gentleman whether the Volunteer Association was illegal? If it was illegal, they could doubtless put it down. But if not—he would ask was it safe—was it not dangerous to the public peace, and to the administration of the laws, and ought it not to be suppressed? Much had been said as to infringing on the right of the subject to petition. Now, nothing could be further from the wish of his Majesty's Government than to put down the expression of the opinion of the people, when that opinion was peaceably expressed. But he must confess that he did not feel that great respect for the petitions against the Bill with which the hon. and learned Gentleman threatened to inundate them, when he considered the manner in which they had been obtained. Circular letters had been sent all over Ireland by the Volunteers, with several forms of petition, requesting active persons in every place to get them signed. He would not complain of that; but when he considered the system of intimidation and menace which prevailed in Ireland, he must confess that he could not yield to those petitions that respect which he should pay to the spontaneous and unbiassed expression of the opinions of the people of Ireland. The circular letters alluded to also announced that the Volunteer Association was about to take measures for its extension—and that a paper of instruction would be forwarded to them, according to the suggestions of Mr. O'Connell, pointing out the best method of proceeding to establish Courts of Arbitration—and especially for the better collection of the National Rent. These circumstances, in his opinion, took away much of that weight which he should otherwise have attached to the petitions which had been presented to that House. The existence of an association, extending its ramifications into all parts of Ireland, allowing nothing to be exempt from its inquisitorial influence, reporting all its proceedings to one great head and centre in Dublin, and endeavouring to monopolize in its own hands all the functions of Government—if not in itself absolutely illegal, must, at least, be allowed to be totally inconsistent with the due administration of the laws. The whole question as to the course which Parliament ought to pursue might be reduced to a single point. Would that House permit the association of Irish Volunteers to triumph over constitutional law? He did not extend these observations to the disturbances which had taken place in Ireland; he alluded to political agitation, and to those bodies which he considered inconsistent with regular Government. He stated this, because he wished the question to be put clearly and distinctly. The hon. and learned member for Dublin wished to know what effect these measures were likely to have upon the question of the Repeal of the Union. Whatever effect they might have, he believed that Parliament would feel it to be its duty to suppress these symptoms of disorganization; and by doing so, he was convinced that it would suppress that cry for Repeal, which was founded on mere clamour, on the declamation of itinerant agitators—on the constant outcry raised against the Sassenach and the stranger—on the violent opinions which, day by day, and week by week, were impressed upon the public mind by associations and delegates, and which made the question of the Repeal of the Union, not a sober matter of opinion and of calm judgment, but the cry of party and of passion, supported, he maintained, by vast numbers of the lower classes, who dared not for their lives form a contrary opinion, and who, he must add, if they did frame a different opinion, dared not express it. If the measure had any effect upon the Repeal of the Union, the suppression of these abuses would be its effect. If the Bill were despotic, its object was to prevent a more intolerable despotism. It was a measure called for by the whole of the higher classes, by most of the middling classes, ay, it was even wished for by many of those who signed petitions against it, and by a great number of the lowest classes in Ireland. It was not a measure of despotism and oppression, but a measure of protection and safety.

Mr. *O'Connell* observed, that it was exceedingly easy to make assertions. He knew Ireland better than the right hon. Gentleman; and he ought also to have a deeper interest in its prosperity. [*No, no.*] He did not mean any offence. He had said he ought to have a deeper interest in the prosperity of Ireland than the right hon. Gentleman. His only regret was, that the assertions of the right hon. Gentleman were taken for proofs—his insinuations were received as arguments—and his mis-statements as convincing reasons of the necessity of establishing a despotism in Ireland. He would bring the right hon. Gentleman's statements to the test. He had spoken much of the influence which the Volunteers had had in guiding the public mind with respect to the Repeal of the Union; but what was the fact? They were established but three weeks before the sitting of Parliament. The right hon. Gentleman wished to know his opinion, whether the establishment of the Volunteers was legal or not? In his opinion it was not illegal. The right hon. Gentleman then asked whether such an institution was not dangerous to the Government, and he was cheered by the House; he asked whether it was not unsafe for the people, and he was cheered; he asked whether it did not interfere with the administration of the law, and he was cheered;—that was to say, the House was convinced of these three particulars. Now, if the association was of the character which the right hon. Gentleman and the House attributed to it, it was illegal, and could be suppressed by the existing law. He defied any lawyer to contradict that statement, and yet the right hon. Secretary, though he had a packed Jury at his command in Dublin, had not indicted a single individual. Why had he not done so? Because he knew that, in a Court of Justice, assertion would not be taken for proof. A cheer would not be the answer which he would receive from Jurymen. Huzzaing was all very well when they thought they had a right to put down the liberties of Ireland; but what advantage did Ireland ever derive from her connexion with this country? Again and again she had been subjected to confiscation, to massacre, to oppression, to the violation of all law. These miseries had she derived from her connexion with this country, and these were things which had not been done in a corner. Would any Government but that of the right hon. Secretary have come down to the House with such a tale? The right hon. Secretary alluded to the national rent. He knew not whether he meant to attribute any personal motives to him upon that point. [*Mr. Stanley expressed his dissent*]. The right hon. Gentleman disclaimed it, and he would not dwell, therefore, upon the subject. The right hon. Gentleman thought that the Bill would operate as a sedative. As well might he expect to soothe the pain of a sore by applying a blister, or to tranquillize a patient by the stimulus of irritation. The hand of the foreigner would, indeed, be felt heavily, in Ireland when the people were deprived of the Constitution, and told in mockery, that it was for their benefit. The people of Ireland would not be deceived by such pretences; and he was astonished that Members of that House should deceive themselves. If this Bill passed, the people of Ireland would not stop at the Repeal of the Union.

The Committee divided, on the question that the Clause stand part of the Bill: Ayes 322; Noes 70—Majority 252.

The Committee then proceeded to the consideration of the second clause, which enacts, that any two or more Justices of the Peace should have the power of dispersing any meeting, and that any person contravening their order in this respect shall be liable to an imprisonment of three calendar months, and, on a second offence, for one whole year.

Mr. *O'Connell* objected to that part of the clause which authorised Magistrates to force their way into any House in which they should have reason to believe that any prohibited meeting was held, as being much too vague, as giving too great a discretion to Magistrates, and as affording no redress to individuals wrongfully apprehended.

Mr. *Spring Rice* said, that although the Magistrates must act on their own discretion, they would be responsible to the Lord-lieutenant of the county.

Mr. *Shaw* observed, that if Magistrates were not considered worthy of confidence, let them be struck out of the Commission.

Mr. *O'Connell* stated, that he had a further objection to this clause. By the first clause every person present at a prohibited meeting was to be deemed guilty of a misdemeanor, and was to be tried and punished according to the course of the Common Law. By the second clause, any person who did not depart from such meeting within a quarter of an hour from the time of the notice of the Magistrates to do so, was to be proceeded against in a summary way, before any two Justices of the Peace, and imprisoned for three months, and for a second, or any subsequent offence, for one year. To this summary jurisdiction on the part of the Magistrates he most strongly objected.

Mr. *Sheil* observed, that his Majesty's Government themselves showed that they had no confidence in Magistrates by proposing to call in soldiers to execute the functions of Magistrates.

Mr. *Stanley* begged pardon for interrupting the hon. and learned Gentleman; but he wished to say, that if the hon. and learned member for Dublin acquiesced in the earlier part of this clause, his Majesty's Government would be disposed to yield the other point, and to exchange the summary jurisdiction for Trial by Jury.

Mr. *O'Connell* could not acquiesce in any part of the clause, although he would not have recourse to the desperate expedient of a division.

On the Motion that the Clause stand part of the Bill,

Mr. *O'Connell* asked if it was understood that the summary jurisdiction of the Magistrates was taken away, and the Trial by Jury substituted?

Mr. *Stanley* replied in the affirmative.

The Clause, with a verbal Amendment, ordered to stand part of the Bill.

The third Clause also ordered to stand part of the Bill.

The House resumed; Committee to sit again.

Supply — Registering Barristers.] Mr. *Spring Rice* said, that in consequence of the omission of the words "Consolidated Fund" in the Reform Act, the Treasury, though directed to pay the Registering Barristers, had been unable to do so, without a specific vote. The Barristers had borne their expenses out of their own pockets, and those, as well as the stipulated allowances, ought, without delay, to be discharged; he, therefore, asked the House to resolve itself into a Committee of Supply for the purpose of agreeing to a Resolution to that effect.

The House in Committee.

Mr. *Spring Rice* said, that the accounts of the Barristers had been very carefully gone through, and they all accorded with a certain scale of fees and expenses which the Treasury had established after due consideration. He moved "That 30,500*l*. be granted to his Majesty to pay the allowances and expenses of barristers employed to review the lists of voters under the Reform Act."

In answer to a question from Mr. Roebuck.

Mr. *Spring Rice* added, that the charges of some few of the barristers exceeded those which the Treasury had thought it right to fix as the maximum, and that the accounts of other barristers were below it; the first had been reduced, but of course it had not been deemed necessary to raise the last.

The *Solicitor General* was of opinion that only a reasonable compensation had been given.

Mr. *Spring Rice* said, that in no case more than a guinea per day for expenses, and 2*s*. per mile for travelling, had been allowed.

Mr. *Sheil* wished to know if the Irish barristers employed in the same way had not been paid less; viz. five guineas per day for their allowance, and one guinea per day for expenses, including travelling?

Mr. *Spring Rice* observed, that the expense of registering in Ireland had been 12,000*l*., which was more in proportion than for the rest of the kingdom.

Mr. *Hume* wished to know whether any arrangement had been made for the future? He thought that each place or district ought to pay its own expenses of registration.

Lord *Althorp* said, that, as the payment was generally out of the taxes, all parts of the kingdom paid a just proportion.

The *Solicitor General* apprehended that the expense would be considerably less the next time the aid of the barristers was required.

Resolution agreed to, the House resumed.

TEA.] Mr. *Hutt* was anxious to be informed why in London only Tea duty free was allowed to be furnished to shipping? He thought, at all events, that the same privilege ought to be extended to the outports.

Mr. *Spring Rice* replied, that the custom arose out of an Act of Parliament, which gave the privilege to the port of London only.

HOUSE OF LORDS,

Monday, March 18, 1833.

MINUTES.] Bills. Read a second time:—Exchequer Bills; and Transfer of Aids.

Petitions presented. By the Earl of RADNOR, Lord STUART DE ROTHSAY, the Earl of ROSEBERY, the Bishop of LINCOLN, Lord DACRE, Lord KENYON, Lord WESTERN, the Duke of CLEVELAND, the Earl of GOSFORD, Lord SUFFIELD, the Earl of RODEN, the Bishop of LITCHFIELD, the Bishop of BRISTOL, Earl GREY, and the Marquess of LANSDOWN, from a great variety of Places, and very numerous,—for the Better Observance of the Sabbath, and for the Abolition of Slavery.—By the Bishop of LINCOLN, from Rushall, for the Repeal of the Beer Act.

PUNISHMENT OF DEATH.] Lord *Suffield* presented a Petition from the Bankers, Merchants, Shipowners, and Inhabitants of Liverpool, praying for a mitigation of the severity of our Criminal Code, and that Capital Punishments might no longer be inflicted for Offences against Property. His Lordship observed, that in this petition, strong reasons were given in support of its prayer—reasons, which he must say, appeared to him well founded. The petitioners prayed for a mitigation of the severity of the law, on the ground that severity occasioned an insecurity of property, chiefly generated by a repugnance to prosecute capitally for offences of that nature. He believed, besides, that many, if not all the petitioners, felt religious scruples on this subject. It was not his purpose to solicit their Lordships to act upon these scruples, but he claimed attention to the petition on that account, and presumed to urge the existence of such feelings, conscientiously entertained, as a strong reason in itself for the mitigation of the severity of the law. The petitioners stated, in the first instance, that they deplored the severity of the Criminal Law, which they thought was not authorized by Divine Revelation, they alluded to it as repugnant to reason and humanity, and gave that as the cause why in the present age it could not be uniformly enforced, in consequence of which, uncertainty of punishment existed, offences were multiplied, and insecurity of property ensued. He most cordially supported the prayer of the petition.

To lie on the Table.

DISTURBANCES IN THE COUNTY OF MAYO.] Lord *Teynham* said, he held in his hand certain Returns relative to the placing of the Barony of Gallen, in the County of Mayo, under the Peace Preservation Act. It was not necessary for the purpose of bringing before their Lordships the subject of which he had given notice, that he should read their contents, but he must refer to them. The first was the copy of the Proclamation of the Lords Justices, declaring that Barony in a state of disturbance, and requiring that it should be declared under the operation of the Peace Preservation Act. The second was a copy of the Memorial of the Magistrates to the Lords Justices in consequence thereof. The third was the Counter-Declaration of Sir William Brabazon, and some of the principal land-owners of the county, together with a List of the Constables in the County. The fourth was a Return of the Number of the Committals from the Barony in the years 1830, 1831, and 1832. This last document showed most clearly that the list of committals last year was inferior to what it had been in past years, both in the number and the nature of the crimes charged. Indeed but for the offence of illegal distillery, there would have been but three committals from the Barony. He wished to call the particular attention of their Lordships to the statement he was now about to make. He did not wish unnecessarily to occupy their time, but he did feel that this was a subject of particular importance, especially at this moment, when they were about to confer upon the Government powers such as had never before been demanded—powers that would, in fact, annihilate the Constitution by placing the whole people under military law. When they were about to do this, it was absolutely necessary that they should know how similar powers had on former occasions been exercised. The Peace Preservation Act, as it was called, was the only one now in operation for placing strong and almost unlimited powers in the hands of the Magistrates. By that Act, as their Lordships were aware, the Magistrates were empowered to send for police from distant parts of the country. Their Lordships were also acquainted with the feelings of the people of that country respecting the police, and they must be aware that the introduction of strange troops of them from distant parts of the country was not likely to allay any agitation that might previously have existed. That observation would convince their Lordships, that the Act which gave this power was of great extent and of equal severity. With regard to the county of Mayo, there were, perhaps, few counties that had for years past enjoyed such uninterrupted quiet, or paid such strict obedience to the laws. The noble Marquess behind him could not and would not deny that to be the fact. The disturbances had been few, and but a very small number of persons had been transported. It was not his wish to impeach the conduct of the noble Marquess, but he must touch on the recent election, which had produced many of those unpleasant circumstances to which he was about to call their attention. A few years past a strong political feeling had been excited in every part of Ireland, and the people of the county of Mayo sharing these feelings, determined to return an independent Member, who should truly represent their interests and wishes in Parliament. That feeling had been increased lately, and had been displayed in a manner stronger than ever before since the passing of the Reform Bill. No where was that measure hailed with greater delight than in Mayo, which had hitherto been subject to a similar influence to that which predominated in Old Sarum. There were many circumstances which rendered it difficult to get a proper person to represent the county. Some deliberations took place, and finally the freeholders called upon his friend and relative, Sir William Brabazon, to come forward. Sir William, animated by similar feelings to those which made his ancestor the glory of Ireland, did so, and came forward, as he said, determined to do his duty to the freeholders, to use his utmost efforts to get their wrongs redressed, and to support their views in voting for the Repeal of the Union. Upon that important question he would give no opinion; but certainly a strong feeling existed on the subject in Ireland, and he knew no reason why discussion on that subject should be suppressed more than on any other. It came plainly within the bounds of rational political inquiry. That, under the influence of this feeling, Sir William Brabazon was the candidate whom the people, if left to a free choice, would have selected, was clear, from the fact, that out of 1,300 votes, he had been able to obtain 600, out of which 500 were plumpers. Elections of that kind, in which the voice of the people was opposed to the ruling powers of the country, could not pass off without some degree of excitement. Advantage was taken of that excitement to introduce an army of police with their loaded muskets. What was the consequence? If noble Lords would read an account of the inquests upon the men killed in the county of Mayo by the police, they must be of opinion, that there had been a lamentable disregard of human life, and that no rational reason could be given for the death of hardly any one of the persons who had been shot by the police. The people were sacrificed to the excited feelings consequent on an election for political power. Notwithstanding this, on their part there had been no injuries committed, either on persons or property. The people of Mayo had a great respect for Sir William Brabazon, and it was no wonder that the inhabitants of Gallen in particular, should think highly of the hon. Baronet; for he was a most worthy landlord, he was constantly resident among them, and on this occasion had come forward at their call to represent their interests. The noble Marquess near him put his name at the head of the list of those who applied to the Government to place the barony under the Peace Preservation Act. That such an application was unnecessary, he could prove by the opinion of Sir Anthony Hart, one of the ablest and most honest men that had ever presided over the Chancery of Ireland, and he could prove in like manner, that the noble Marquess had been deceived by those who had given him information on these matters. He regretted that the noble Lord, who was at present the Lord Chancellor of Ireland, had not, in this point, followed the footsteps of his predecessor, for that eminent lawyer had always been opposed to granting these extraordinary powers. It had been stated in another place, that the agitation at the election was not at an end; but if agitation did prevail, it was the agitation of freemen, whose voice was not to be overpowered by influence or intimidation; they would have men of their choice, and not men who were forced on them. After the Proclamation of the Magistrates had been issued, a meeting of the Magistrates of the county was called by the noble Marquess. Among them there were only three Magistrates of the barony of Gallen, and they objected to the barony being placed under the operation of the Peace Preservation Act. They said, they saw no reason for such a proceeding: and that, too, was the opinion of the parish priests—a body of men than whom none knew better the state of their parishioners. The majority of the Magistrates supported the proposition for placing the Barony under the operation of the Act. Immediately afterwards, there was a large assembly of persons, and a Resolution was passed, declaring that no disturbance had taken place, and that the course proposed was an infliction upon them which they did not deserve. They sent a memorial to that effect, which was most numerously signed, and among the rest by all the parish priests of the district. The Lords Justices did not answer that memorial for some time. At last they sent word, that they saw no cause to alter their determination. Sir William Brabazon then sent in a memorial, with other Magistrates, denying that disturbances existed, and declaring that there was no necessity for putting the barony under the Peace Preservation Act; but the Lords Justices did not think proper even to peruse the memorial. He believed that no country in Europe laboured under such unhappy inflictions as Ireland. The gendarmerie of France were not to be compared, in point of cruelty and oppression, to the police of Ireland. The gendarmerie were not armed so destructively, and they never used their arms but in cases of the most absolute necessity. They were not like the Irish police, roaming about the country, like roaring lions, seeking whom they might devour. Such a system of tyranny as that which existed in Ireland was worthy of the Dey of Algiers. The origin, too, of the political agitation now existing in that county was worthy of notice. It all arose from the enforcement of the payment of tithes. The memorial of the Grand Jury, in the year 1830, proved that fact most decisively. On that subject, on which Irishmen seemed to be unanimous, it was not to be wondered at that there should be agitation. The county of Mayo, however, though it might be excited a little, was quite free from disturbances. There was no predial agitation in the county, no attacks on houses, lives, and property. There was, he admitted, agitation, on account of tithes which had existed at least since 1830, when the Grand Jury of the county of Mayo implored the Irish government to do something towards allaying the angry feelings of a Catholic population consequent upon its being compelled to pay tithes for a Protestant Church. It was impossible to read the memorials in his hand, without being satisfied that the state of this barony had been grossly exaggerated; and he should, under these circumstances, feel himself bound to move their Lordships to agree to the presentation of an Address to his Majesty, for the purpose of investigating the facts of the case. He hoped their Lordships would agree to this, as their Lordships' House was considered the last resort of the Subject when oppressed by grievances. It was impossible to read the contents of the memorial he had referred to without feeling convinced of the necessity of inquiry. He trusted his Motion would not be resisted. The times, he assured their Lordships, were altered, and the feelings of the subject were not what they used to be. The case, in fact, resolved itself into this:—whether or no an inquiry should take place when the people preferred complaints of grievances to that House. The subject of complaint was not one that concerned the people of the barony of Gallen, or even of Ireland, alone, but it concerned the whole people of the United Kingdom. Let it be considered that great and extraordinary powers were about to be placed in the hands of Government. Did it not, then, behove their Lordships to inquire whether any necessity existed for the stretch of power, which even under the existing law, had taken place? Did it not behove them to inquire whether, as the people asserted, the conduct of those in authority had caused the evils complained of in Ireland before their Lordships armed those accused of misconduct with still greater powers. His opinions on the expediency of arming Government with extraordinary powers were well known. He thought the existing law, if properly administered, was quite sufficient for every purpose of protection; but if that were not the case, the remedial measures ought certainly to have preceded the coercive. If his view of the case, he repeated, were not correct, his Motion would of course fall to the ground; but if it were found to be just, his Majesty's Ministers, if just to themselves and to the people of Ireland, ought to support it. He would proceed to show by various documents, that the state of the barony was not such as to warrant its being placed under the Peace Preservation Act. The first document he would read, was a memorial from the gentry, clergy, and inhabitants of the barony. It was as follows:—

At a meeting of the gentry, clergy, freeholders, and other inhabitants of the barony of Gallen, held at the Court-house, Swinford, on Tuesday, January 29th, 1833, the following resolutions were adopted.

Resolved—That we cannot but view with the utmost surprise, a resolution adopted by certain Magistrates at a meeting held in Castlebar, on the 22nd instant, that this barony should be placed under the provisions of the Peace Preservation Act.

That, notwithstanding the excitement consequent on a hard contested election, this barony has never been more peaceable, nor more submissive to the laws than at present, and that we consider that resolution of the Magistrates a foul libel on the character of a loyal and peaceable people.

That we cannot but view such a resolution, emanating as it did from the Marquess of Sligo who was so deeply interested in the issue of the late election, and supported by Magistrates appointed by him, and totally ignorant of the real state of the barony, a vindictive proceeding for the independence and spirit evinced by our freeholders at the late election, and that we memorial the Lord-lieutenant or Lords Justices on this subject.

That the memorial now read be adopted, and immediately forwarded to the Lords Justices.

That this meeting, at its rising, do adjourn to this day week, in order to receive their Lordships' reply, and to judge of the necessity of adopting any other measures for the object of the present meeting.

That, viewing with the utmost contempt and scorn the impotent attempt that is now being made to crush the spirit of independence that now exists among us, we will, by our peaceable conduct and submission to the laws, defeat the malice of our enemies, who, it would seem, are anxious to goad us into acts of insubordination; but that we will redouble our exertions constitutionally to relieve ourselves from the many burthens that now oppress us, and that we will not cease, by every means in our power, to procure the independence of our native country.

That the removal of the military from their usual barracks in this barony to Ballina, is the strongest proof of our peaceable and orderly conduct.

To the Right Honourable and Honourable Lords Justices of Ireland: the memorial of the undersigned gentry, clergy, freeholders, and others, inhabitants of the barony of Gallen, county Mayo:

Most humbly sheweth,

That your memorialists have learned with the utmost surprise, that, at a meeting of Magistrates held in Castlebar, in this county, on the 22nd instant, it was resolved to place this barony under the Peace Preservation Act; thereby adding to the taxation, and increasing those burthens which already press so heavily on the people.

That your memorialists beg leave most humbly to submit to your Lordships, that no case could be possibly made out to call for this extraordinary addition to the present civil force in this barony, as your memorialists are prepared to prove that this barony (peaceable even in the worst periods of public disturbance) was never so free from anything even like party spirit, as at the present moment; that rioting at fairs very seldom occurs; that no obstruction (except in a very few isolated instances, totally unconnected with politics and divested of the slightest appearance of insurrectionary movements) has been ever offered to the officers of law or justice; that your memorialists do not know that any nightly meetings have been held, or illegal oaths tendered, or, in fact, any overt act of insubordination to the laws committed, to warrant this call on the rigour of the Executive.

That your memorialists most respectfully beg leave to state, that they fear very much that this barony has been selected for punishment, more from a spirit of vindictiveness for the conduct of its freeholders at the late election for this county, than from any just wish to uphold the laws, or from the necessity of repressing outrage; as your memorialists most humbly submit that the former have not been infringed, and that the existing civil force is fully adequate for every purpose of protection.

In support of these allegations your memorialists beg to submit the following proofs:

1st. That, with the exception of three, not one of the assembled Magistrates, amounting to eighty and upwards, reside in this barony;

that not only were those who voted for the infliction of this Act, personally unacquainted with the state of the barony, but that they refused to admit into their deliberations the testimony of many clergymen and gentlemen who were anxious to afford them information on oath, and that your memorialists have reason to think that many written communications, which might have influenced their decisions in a different way, were withheld from them, and that those resident Magistrates who, from their local knowledge, could best testify to the peaceful state of our population, were opposed to the introduction of the Act.

2nd. That other baronies in this county, Burrishoole and Carra, where a very great number of these Magistrates reside, where disturbances of the most serious nature have taken place, where murders were committed under the very eye of the Lord-lieutenant, and where several lives have been lost in conflict between the people and the constituted authorities—circumstances that never occur in this barony—but where the freeholders did not exhibit the same spirit at the late election as in ours, have not been visited with even an equal hand. We do not state this with any view to hold up these baronies as deserving a similar punishment, but merely to show that we have been most partially, most unjustly, and, we would say, most vindictively treated.

3rd. The strongest proof your memorialists can give of the state of profound peace and good order prevailing here, is the simple fact, that the presence of a military party, stationed in this barony, for more than half a century, has been deemed so unnecessary, that an order for their removal to a different district where there services were required, was issued on the very day these Magistrates declared we required an extraordinary civil force, and that since the removal of the military not a single outrage has been committed to call for the interference of the few police remaining among us.

Relying on these facts, and trusting to the justice and humanity of your Lordships, that you will not, unknowingly, be made parties to any vindictive proceedings against us, we most humbly entreat, that, previous to adding to our distresses by the additional taxation this Act will impose on us, you will direct an investigation to be held by some officer of the Government who may be unconnected with the politics of this county, and your memorialists feel confident, that they will be able to satisfy your Lordships that in no part of the kingdom are the inhabitants more loyal, more peaceable, more submissive to the laws, and less deserving to be visited with any penalties, than the people of this barony.

His Lordship also read the affidavits of Mr. Ellar, and another Magistrate, dated 26th February, 1833, showing the peaceful state of that barony; and the affidavits of a respectable Catholic priest of the dstrict, of a Mr. Cooke, Catholic rector of another parish, who deposed, that his parishioners were all peaceable and orderly men; and of a physician who also stated, that he went about it all hours; and of the parish priest of Foxford. He would also read the affidavits of a Lieutenant of the Yeomanry Corps, and of a publican, which adverted to the case of the horse formerly mentioned by the nbl e Marquess.

Lord *Wynford* rose to order. His Lordship submitted, that the noble Baron was greatly out of order in attempting to support his case by affidavits. They had been all illegally taken; and every noble Lord must be aware how improper it was in any individual invested by his Majesty with authority to have anything to do with such documents. Besides this objection, such testimonials were undesirable in other points of view. He well remembered one of the best lawyers that had ever sat upon the Bench (Mr. Justice Lawrence) reprimanding an attorney in severe terms for taking such affidavits, for the deponent was never induced to alter his tone afterwards—he felt himself bound down by his previous act.

The Marquess of *Sligo* fully agreed with the noble Lord in his objection, but would entreat him, in the present instance, to waive it. His character had been assailed in a way that would really be quite destructive, if he were not to have the opportunity of meeting, as he was anxious to do, every charge that could possibly be brought against him.

The Duke of *Richmond* said, one of these documents actually contained the report of a speech said to have been delivered in the House of Lords.

Lord *Teynham* did not mean to read that part.

The Marquess of *Sligo*: Read it — go on—go on.

Lord *Teynham* admitted there might be a slight departure from Order in reading the affidavits; but he did not know of any other mode except by an inquiry at the Bar of the House, by which to establish his case. If the noble Lord objected —

The Marquess of *Sligo*: It's nothing to me—I deny the facts altogether.

Lord *Teynham* would then read the affidavit which applied to the case of the horse, which his Lordship did. It stated, that the person who swore the affidavit had read in the newspapers an account of the Marquess of Sligo's description, and that the noble Marquess's description was not founded in fact. His Lordship said, the story of the abduction of the woman was false, as he could prove by affidavit. [Viscount *Strangford*: Pray read that.] The noble Lord accordingly read the affidavit, which was from the young lady's brother-in-law, and stated, that she was not carried away in the day-time, but was secretly conveyed away in the night by two persons, one of whom was in love with her. She was eventually brought back by a servant who was despatched after her. The noble Lord said, that it must be evident, from all that he had said, that the subject of his Motion was one of deep importance, and one which imperatively demanded inquiry, the object of which would be, to ascertain whether or no there were sufficient reasons for placing the barony under the peace Preservation Act? He should, therefore, move, that an humble Address be presented to his Majesty, praying him to direct the Lord-lieutenant of Ireland to appoint proper and efficient persons to inquire into the facts in consequence of which the barony of Gallen was placed under the Peace Preservation Act.

The Marquess of *Sligo* said, that, when he came down to the House, he was in expectation that he should hear something to answer. He was, however, agreeably disappointed. He had, indeed, heard a long and desultory story of armed men going about like roaring lions, but he had actually heard nothing emanating immediately from the noble Lord which could move him to a reply. There were certainly one or two points in the memorial which would require some observations from him, and which would oblige him in turn to read some documents, in order that he might more completely defend himself from the base calumnies which had been levelled against him. He had been accused of having recommended the application of the Peace Preservation Act to the barony of Gallen. In reply to that accusation he would say, that the sixtieth part alone of that recommendation fell to his share, for he was only one of the sixty Magistrates by whose advice that step was taken. In the next place, the necessity for this occurred long before any ground of hostility existed between himself and Sir William Brabazon. On the 20th of October, 1832, he had written to Sir William Gossett the following letter:—'As soon as Mr. Bulfin is 'well enough to proceed there (Gallen), I 'will request him to do so, and to call out 'the Foxford party of military to protect 'the tithe-viewers, and try if he is able to 'effect his purpose thereby. If that district is not thereby pacified, it will be necessary to call for the Peace Preservation 'Act; and I have caused it to be notified, 'in that district, that such is my intention. 'The result, I hope, will be, that the view 'will be allowed to proceed peaceably.' A day or two before he wrote that letter, he had met a Magistrate of the barony of Gallen, and told him of the danger which, he thought, would arise if the Magistrates persisted in declining to act with promptitude. He pressed upon this gentleman's attention the necessity of calling on his brother Magistrates to act, and left him, in the hope that something might be done. Nothing was done, however, and on the 24th of October, he again wrote to Sir William Gossett: 'I have the honour 'to acknowledge the receipt of your 'letter of yesterday's date, and beg to 'state, in the most distinct terms, that 'I think the residence of a stipendiary 'Magistrate in Gallen absolutely necessary. In my opinion, unless an 'immediate change takes place in its 'condition, from the exertions of a stipendiary Magistrate, it will be my duty 'to recommend the adoption of the 'Peace Preservation Act in that district.' On the 26th of October, he sat as chairman of the Petty Session at Westport, when a tithe question came on, and he then called attention to the subject, and informed the people that his duty would compel him to advise the application of the Act, if the disturbances did not speedily cease. He could not help thinking, that this circumstance must have been known to the noble Baron, and if it was, it was extremely unhandsome to allude to his political hostility to Sir William Brabazon as having influenced him in advising the application of the Act. He would, as his first evidence, read a letter which had been addressed to the noble Lord (Lord Teynham) by a gentleman in the county of Mayo, which letter contained a corroboration of the view taken by him. The noble Marquess read the letter as follows:—

My Lord,—As the public prints announce

your intention to press for a re-hearing upon the state of the barony of Gallen, in the county of Mayo, I think it but fair to inform you, that subsequent to the late discussion on that subject I wrote to a private friend, not unknown, I believe, to your Lordship, who possesses peculiar means of furnishing an accurate account of that district; and I deeply regret being obliged to add, that he assured me that the Marquess of Sligo's statement was "perfectly correct." These were his precise words.

Your Lordship will recollect that in the latter end of last November, or early in December, we met casually, at Whitehall; when you told me you were just then come from the Home-office, where you had called on and seen Lord Melbourne, in consequence of a letter you had received that morning from Gallen, stating the barony to be greatly disturbed,—that several persons had been killed in an affray about tithes claimed by Dean Gore and Mr. Bourke, and that the peasantry were violently excited, and, as your Lordship termed it, "all up," to the amount of several thousands. I was happy to learn, shortly after from other quarters, that the representation made to your Lordship was much exaggerated; but you will naturally feel that if I were compelled to name an authority in support of Lord Sligo's most painful and evidently reluctant statement, I must, of course, quote Lord Teynham as such authority.

Be assured, my Lord, that if I could be persuaded that these Parliamentary exposures and collisions affected only the distinguished individuals whose names are introduced, I should not interfere in this manner, as they are all well able to take care of themselves; but when I know, as I do, that they are most grievously injurious to the character and interests of my native country, and particularly to its peasantry, without producing any one beneficial public result, I feel assured that your Lordship will not refuse to be informed or reminded of any circumstances that might tend to induce the reconsideration of a course of proceeding leading to such consequences.

As I have referred so directly to Lord Sligo's name, I consider myself bound to place a copy of this note in his Lordship's hands.

I have the honour to be, my Lord,
Your Lordship's most obedient servant.
Right Hon. Lord Teynham.

Indeed, continued the noble Marquess not a post left Ireland but it brought him letters couched in a similar strain; and he could produce affidavits without number, did he not know too well the means by which such documents were to be obtained. He would next read an extract from a letter from the chief constable of police of Gallen, dated the 25th of February, 1833, for the purpose of showing the state of disorganization in which the barony then was.—

About the beginning of last November (I think the first week of that month) Mr. Walter, J. Bourke, a magistrate, possessing a good deal of property in the barony of Gallen, and a large tithe impropriator, wrote to me to request I would attend him at his lodge at Straid, as it was his intention to bring his tenants before him, and examine them on their oaths as to the system of outrage which then prevailed in that district; and he stated that he thought we might be enabled to get some useful information; at least, that from it I might be able to form a pretty accurate idea of the state of that country. I accordingly attended Mr. Bourke, and about sixty of his tenants came before him by his desire, each of whom he examined separately on his oath. With the exception of about eight or ten, who Mr. Bourke informed me were men of excellent character, and therefore, I supposed, were not considered trustworthy by those people, they each and severally acknowledged, on their oaths, they had been sworn by large parties of men, who came to their houses at night, and compelled them to swear. The substance of what they were sworn to, they said, was, that they were not to pay any tithes, and they were to give every opposition and resistance in their power to the payment of them by others; and that they were to be ready to turn out at a moment's warning. They declared, that to the best of their belief, with very few exceptions, every man of the lower ranks of life in that barony was sworn to the same thing. They acknowledged they had attended nightly meetings, but declared they had been compelled to do so. They did not deny but that they knew some of the persons who attended those meetings, but said they were sure they were compelled to do so, —at least many of them; but they declared they would suffer death rather than divulge the name of any person implicated in those proceedings, as they very well knew the forfeiture of their lives, and the destruction of their little properties, would be the inevitable consequence of their doing so. I remained two nights at Mr. Bourke's lodge; each night I could distinctly hear horns sounding in different parts of the country, no doubt for the purpose of collecting the peasantry for the object of carrying on those acts of outrage.

Another communication which had been forwarded to him, and which he begged to read, was the following:—

Swinford, 14*th November*, 1832.

My Lord,—Referring to my letter of yesterday's date, I have the honour to state that I proceeded this morning with a detachment of the 27th regiment, consisting of 110 rank and file, under the command of Captain Fulton, and a party of police, consisting of thirty-five men, to protect the tithe-viewers of Mr. Bourke and the reverend Mr. O'Rorke. The tithe-viewers commenced their business at about eleven o'clock, from the main road a little beyond Mr. Deane's house, and proceeded up the mountain in the direction of Balla. Horns were sounded from all the hills. We met, however, with little obstruction until we came to the village of Coursewood, in front of which an immense mob had assembled, armed with stones, pitchforks, and scythes. I immediately ordered the military to form in line; read the Riot Act, and advanced up the hill to the village, and halted within a few yards of the mob; and again read the Riot Act, and begged of them to disperse; which was answered by horrid imprecations against the tithe-proctors; and a demand that they should be given up, accompanied with a defiance to his Majesty's troops to advance.

I immediately ordered the troops to move forward with fixed bayonets, and dislodge the rioters assembled in the haggard, which was done without any loss of life, and the business of the view proceeded.

The detachment then formed in column, and made a detour through the mountains, for the purpose of keeping on the high grounds, and to enable the proctors to view the haggard from right to left. We halted for that purpose between the villages of Dorrycor and Runduff. At about half-past one o'clock, horn sounding and yells then commenced on every side; the mob bore down upon us from the hill in every direction, and closed upon the column, uttering violent imprecations against the proctors. I desired the rear-rank of the rear-division to face about and disperse those people to a distance, when the troops were assaulted by a volley of stones, in returning to the column.

Considering the determination of the mob, and that further forbearance would have amounted to criminality on my part, I directed Captain Fulton to fire one round from the rear, and outward flank of the column upon the rioters, who immediately fled in all directions: this had the desired effect, and the detachment moved on in the performance of the remaining duty of the day, without further molestation.

I have not yet ascertained what execution the fire of the troops did, but conclude, from the number assembled, several must have fallen.

The detachment rests to day, and proceeds on the same duty to-morrow, about three miles from the town.

I have, &c.,
(Signed) SYLO JONES,
Chief Magistrate.
The Marquess of Sligo, &c.

The noble Baron wished an inquiry to be instituted into the state of Gallen; but an inquiry had already taken place in consequence of the memorial on their Lordships Table, from certain inhabitants of that barony. A detailed report was sent to Sir W. Gossett of the state of the barony, and a list of the outrages which had occurred there from the 1st of October to that period. That list he held in his hand, and it would prove to their Lordships the truth of every one of those statements which he had made on a former occasion. They are classed under these heads,—murder, assaults on magistrates, open resistance of military and police, burglary and robbery, housebreaking, administration of illegal oaths, riot and manslaughter, attacks on parties of revenue police, illegal assembling, burnings, abduction, and rape, &c. He would first, however, read some other documents to the House, and would begin with a letter from the lieutenant of the revenue police stationed at Foxford, in that barony, accompanying the report to which he had just referred. It was as follows:—

In reply to your letter, calling on me to inform you of the different outrages committed in the barony of Gallen, county of Mayo, against the revenue police, prior to the proclamation of that district, and particularly of the several occasions in which I was resisted during the time I was stationed there,

I have to state for your information, that towards the close of the summer there evidently appeared a disposition throughout my district, of a wish that the country people were most anxious to quarrel with me, and seemed to seek every method to provoke, and in all but actually assaulting us.

I saw and carefully watched over the particular places where this feeling showed itself, and drew a line the most guarded, so that nothing possible could be laid to my conduct, or that I had harassed the people or exasperated their feelings.

The parish of Bohola, the parish of Straid, and part of Killover were the principal, where I first observed the growing discontent of the people, and their hostile feelings to everything of a government nature.

On the 15th of December last was the most serious conflict I had with the people, at a place called Shanaway, parish of Bohola, midway between Bohola and Keilthormack. The process-server had been told by the people of the village of Shanaway, if we dared to go that road we should never go it again, and not to attempt it, as they were lying daily in wait for us.

This appeared to me rather too formidable, and too intimidating; and accordingly I marched my party on the high road, intending to still hunt Shanaway, and into Keilthormock.

I had not left Bohola half a quarter of a mile when immediately horns were sounded, coupled with the most horrid and murderous threats, yells, screeches, whistling, throwing stones, and gathering in innumerable numbers, armed with scythes, fire-arms, and other offensive weapons.

I halted my party, consisting only of eleven men, and primed, and loaded, and endeavoured to proceed on my duty, but in so short a time such immense numbers were collected, that I found it impossible to think of doing my duty, or of leaving the high road, and kept my party in close column—the only chance of protecting ourselves.

Having a perfect knowledge of the country, I knew where to press for a position equal to give my men a commanding one, and proceeded to the bridge of Killaden, under which runs a deep river; I was here determined to have engaged with them, as I had been struck twice seriously with stones from behind a wall on the hill, but so determined were they to injure and overcome us, that about 600 yards on my right and left they waded the river in order to head me and cut off my retreat.

There was this day an immense tithe meeting near Keilthormock, and had I fired on them then, that meeting, being in my front, would have been alarmed, and then indeed I was for ever overcome.

I still continued my line of march, and the people were still gathering in my rear; the road was covered with them, and they had taken off their coats, while on my right and left there was a dark moving mass, screeching, and yelling, and saying "they would go home in our clothes."

I had but one more commanding position to make for, and that was distant three miles, when a man ran down and asked to speak to me. He begged of us for God's sake to take shelter in his master's house (Mr. Taaffe, of Killadan) as we would be murdered that day, the immense anti-tithe meeting being in my front, and they would assist in our destruction. I answered and said, while I have a round of ammunition, I shall fight, and only give up our arms with our lives, and also requested, if he had any influence, to tell those misguided people to return to their homes, else I should be obliged in my own defence to fire on them and make many a widow and many orphans.

This man returned to them, but they heeded him not. I still continued to gain ground, yet fearing, in this trying situation, I should not reach the position I wanted, and their right wing, thinking I would make for Keilthormock, turned off to head me. I saw their movement, and just as I came to the cross roads, wheeled to my left to gain the eminence which offered. Their left wing thought then to reach the position before me by making for it, and I had gained it scarcely a minute when they attempted to rush in. I halted and fired then upon them about forty rounds, when many were wounded, and one lay stretched along the wall where he fell.

This attack was made in one of the severest showers of hail and rain, and a very high wind, and they hoped that our firelocks would have burned priming from the severity of the day.

It may be necessary also to state that the distance they harassed us this day was five long miles, through cold, wet, and storm.

There has been a particular feature in this attack which has corroborated a threat long held out to us, that we should not think to pass this winter as quietly as we had the last.

Previous to the attack made on the 15th of December, there were several attempts made to entrap me and my party by a plan of giving us many false informations; and one particularly, a few nights before the attack, I was brought to a place called the woods, about three miles to the left of the town of Keilthormock, and had we taken the road laid down for us, that night, we were to have been murdered, and our arms taken from us. However, by my changing my route I reached the place, having to cross a river, and well suited for their purpose. Yet, providentially, I escaped by the movement through another road. This information had been given me by a person the morning after, and it so placed me on my guard from that hour not to attempt to proceed at night.

From the disturbed state of Bohola parish, and from all the circumstances of which I was aware, I found it impossible to attempt to perform my duty with so small a force, and wrote accordingly to the hon. the Commissioners of Excise for a reinforcement, or to be removed to Foxford, as the detachment of the 27th regiment was quartered there; the Bohola, or Shanaway people having threatened to come down at night to Swinford, and surprise us in our lodgings, and deprive us of the arms and ammunition—a thing which could easily be effected, by men being scattered through the town, not having a barrack.

Accordingly I was ordered to be removed to Foxford; and being there a short time, I was anxious to let the country settle into a little quietude before I went on to perform my usual duty, it being most seriously excited by the election, and the disappointed hopes of the return of their favourite candidate. The first day I went out it was merely an experiment in order to come to the knowledge of the people's feelings, and for my own guidance afterwards. I simply marched my men about two miles at the Foxford side of Drumminwood, and the people about that place seemed tranquil. I returned, and on my return I was informed had I gone towards Ballylahin I should have been attacked, the people being lying in wait for us behind some cover, where it was impossible for me to see them till I was actually surrounded.

I regretted the intelligence much, as I did hope the country would become tranquil, but it otherwise proved the contrary, and I delayed going to the side of Ballylahin, and stayed till the 16th of January, and reached a place called Tavaran, parish of Straid, when shortly before that we observed an immense number of people on a hill. We still proceeded on the high-road, and did not leave it, and marched quietly along, having with us for our guide and assistance Sergeant M'Coy and his two constables, of the constabulary.

The people continued to gather, and, at last, horns were sounded, and yelling, and screeching, precisely as at Bohola. The numbers increased, and I asked Sergeant M'Coy to give me a strong position, if he knew it, as I was a stranger to that part of the country. The people came very close upon us, when I found it necessary to prime and load, in order that we should not be surprised. However, we could not do duty, or leave the high-road, from the numbers that were gathering; nor was I qualified to fire on those misguided people, because they did not throw a stone, or break the law, except by collecting in immense numbers, and produced, naturally, of course, that intimidation which actually prevented and interrupted me in my duty by threats of hostile intentions, which I should not excite. My duty then being over, and standing only in the defence of our lives, the arms, and the ammunition, those misguided people did everything to provoke, and try me to begin the affray; but I felt, from the responsibility intrusted to me, nothing should for a moment make me take a hasty step which afterwards would but bring me to the bar of my country, where I should be tried for my life.

I asked Sergeant M'Coy, could we possibly get another way to Foxford, not to be obliged to march through the parts of the country we had already, as they were still gathering in our rear, and it was quite impossible to meet such a force. He answered if we could get a boat at this side of the Moy we could get over to Clongee, which is within two miles or less of Foxford; if not, we should be obliged to retrace our steps and march five miles back.

We proceeded to the river, and fortunately obtained the boat and got over safe; but had we not, as hundreds had been collected armed with scythes, bayonets, reaping-hooks, pikes, and fire-arms, and had got themselves half drunk, in order to increase their desperation—had we not obtained the boat, that force was making fast on us, and I have no doubt, from the inequality of numbers, our lives would have been sacrificed, and our arms and ammunition fallen into their power. I have been informed on the spot, and by my sergeant, that only for the great anti-tithe meeting which was held that day in Bohola, only for the people being away, it would have been impossible to have escaped; yet the population appeared to me very little decreased by the meeting, for, in order to show how quick and perfect their signals are, Tavarane is about six miles from Bohola, and numbers, in less than an hour, left Bohola to come and assist in our destruction.

From the state of that part, then, of the country I found it impossible to remain even with safety in the town of Foxford, and I wrote to the Government to state that the 27th Regiment detached there was to be removed to Ballina, and not replaced by a civil or military force, and having received the best possible information that when the troops left Foxford my men were to be surprised at night in their lodgings, and the arms and ammunition taken from them, and knowing the correctness of the information, I felt it my duty to protect not only our lives, but the arms and the ammunition intrusted to me, and accordingly I marched to Ballina with the detachment, and which movement the hon. the Commissioners of Excise have been pleased to approve highly of.

There were many minor attacks made which I did not think it necessary to herein state, and have only given you two of the most serious and rebellious outrages I have encountered while performing duty in the parishes of Bohola and Straid, but at any time I can certify that those two parishes particularly have been much disturbed and dreadfully excited these many months.

I do conceive, from what I know, that the anti-tithe meetings have been the principal means of laying the germ of disturbance in the barony of Gallen; and that feeling having gained such rapid strength by the excitement of the election and the electioneering agents, the misguided people still foster the idea that they will yet be able to get the country into their own hands. Hoping the above information will answer the intention sought for, or if I can at any time be able to afford you the least assistance in any material inquiry, I shall feel most happy to do so. I am, Sir, &c.

My Lord—I have the honour to report, that in furtherance of the duty in which I am at present engaged, I proceeded this morning with a party of police and a detachment of the 27th Regiment from this town to the parish of Bohola, where I was reinforced by a detachment of sixty rank and file of the same regiment from Castlebar.

I was met at Barley-hill by Mr. Walter Bourke, in his carriage, and his tithe-proctors, and those of the reverend John O'Rourke. The detachment marched on to near Mr. Dean's house, when we commenced the duty of the day, leaving Mr. Bourke on the road with a small party of mounted and dismounted men for his protection. Several villages were immediately viewed, and we returned to the high road, leading from Swinford to Castlebar, when I was informed that Mr. Bourke had been obliged, from the great assemblage of persons pressing upon him, and the menacing language made use of by them, to take refuge in Mr. Dean's house. I lost no time in detaching an officer and twenty men of the 27th regiment to his protection. By this time large assemblages of people had taken place on all the hills as far as we could see, amounting in the whole to some thousands, and sounding of horns commenced in every direction, and at this time some few shots were heard. I lost no time in concentrating the police and troops, and in the helpless and exposed situation in which Mr. Bourke was placed, I considered it advisable to detach another portion of the troops to Mr. Dean, and sent a message by his nephew, to request he would immediately get into his carriage and join the main body. The gestures and menaces of the mob, consisting of about 500 men, nearest to where we stood on the road, was most violent, and from all I could learn, their principal object of attack was Mr. Bourke and his proctors; from the very feeble state that gentleman was in, I considered it an imperative duty not to leave him, and remained for some time endeavouring to persuade him to return in the direction of Ballyvarry, which he at last consented to do. Seeing him away under a sufficient escort of police, I immediately proceeded with the duty, and, having moved the troops and police to a hill nearest the most violent assemblage of people, I ordered the detachment to prime and load, and then read the Riot Act. I then addressed the people, warning them of their danger and the situation in which they stood, and proceeded to view the other villages, and then returned to the main road, sending home the reinforcement to Castlebar, and returning with the detachment to Swinford. To-morrow morning I shall commence duty near the same spot, on a mountain in the direction of Balla.

Mr. Wright, chief constable, asserts, that at one of the villages several persons appeared with pikes and scythes, and showed every disposition to attack him and the proctors under his care.

In conclusion, I have nothing to add, but that the greatest forbearance and good conduct has been manifested on the part of the troops and police; and I sincerely trust that we shall be enabled to close this most important and arduous duty without having occasion to resort to the use of our arms.

I beg your Lordship will have the goodness to excuse the length of this detailed report, and that you will be pleased to forward it to Government.

I have the honour to be, &c.

He would then proceed to read to their Lordships the calendar of the prisoners for trial at the ensuing Assizes for Mayo, which the noble Marquess did as follows:—

Murder	23
Rape and abduction	19
Assault and robbery	24
Housebreaking and administering oaths	19
Appearing in arms	5
Arson	4
Forgery	3
Concealing the birth of her infant	1
Larceny	18
Uttering base coin	3
Total for trial at the Assizes	119
For trial at Sessions	15
Debtors	15
Vagrants	7
Lunatics	43
	199
Prisoners under former rules	106
Total	305

It had been stated, that the application of the Peace Preservation Act to the barony had taken place without the consent, and contrary to the wishes, of those most interested in its welfare. But he held in his hand another document, which showed that two-thirds of the actual proprietors of land in the barony concurred in the propriety of calling upon the Government to proclaim the barony. In fact, sixteen of them were actually present themselves, or by their agents and immediate connexions, when the resolution was adopted, and the sentiments of eleven others, comprising two-thirds of the whole property of the barony, were known by other means to have been favourable to it. The noble Baron had asserted, that the committals from the barony of Gallen were fewer than those of 1830, which had been included also in the return on their Lordships' Table. Such was not the fact. In 1830 there were twenty-four committals from Gallen, while, in the present year, there had been twenty-nine, though there had not been the full number of sessions held. When the Magistrates were inattentive to their duty, could it be imagined, that the people would respect them? From the 27th of September, 1832, to 31st of January, 1833, but one Petty Session was held at Foxford, although frequent applications were made by the poor people. The remarks of the noble Baron had not been confined to the barony of Gallen. He was accused of having misrepresented the state of Mayo generally; whether he had or not, their Lordships would be able to form an idea when he stated that, by the official Report of the last month's occurrences, it appeared, that 255 outrages had occurred in the month of February—of which fourteen were burglaries and arms-taking, and seventeen malicious destruction of property. How was it possible to contend, that, in such a state of things, the ordinary law was sufficient for the protection of the peaceable and well-disposed part of the community? He should be wasting the time of their Lordships to endeavour further to refute such a proposition. If the noble Lord could bring forward any case, he was prepared to answer it; and he felt assured, that he should do so to the satisfaction of their Lordships. He felt grateful to their Lordships for having listened to him with so much patience; and would conclude by expressing a hope that the noble Baron himself would acquit him of having been actuated, in any thing he had done, by any other desire than that of performing his duty to the best of his judgment and ability.

Lord *Plunkett* observed, that it would be quite unnecessary for him to say anything in addition to the satisfactory refutation by his noble friend of the noble Lord's charges, and he should, therefore, not have risen, had not the noble Lord imputed to him (Lord Plunkett) a capital offence, for which it appeared he deserved to lose his head, as the great Lord Strafford had done. He would, therefore, plead before their Lordships on this capital indictment. This act, this single act, was, it seems, his having signed the proclamation for placing the Barony of Gallen within the operation of the Peace Preservation Act. But, when he stated to their Lordships that he had received from sixty Magistrates of the county a representation of the necessity of the measure, he thought they would allow that he could take no other course than that which he had adopted. It appeared, however, that three Magistrates declared that they had no reason to know that the Barony was in a state of insubordination. It was certainly not extraordinary that they had no reason to know it, as it appeared that they were absent. On this point he thought the noble Lord had been rather abstinent in his censure upon him (Lord Plunkett) for he should certainly find it more difficult to vindicate himself from the charge of not having removed those three Magistrates from the Commission than from the charge which the noble Lord had been pleased to bring forward against him. The noble Lord had said, that the Barony of Gallen was in a state of perfect tranquillity. In answer to that assertion, their Lordships had heard the documents read by his noble friend, which proved not only the existence of great outrages in the Barony, but of mobs who compelled the soldiers and the police to put themselves in military array, and to fire in their own defence. As to freedom, it was idle to talk of freedom, it was profanation to talk of freedom, in such a state of things. Those who urged the people of Ireland on to the acts of extravagance and violence which they had committed were the real tyrants of that unfortunate kingdom. The noble Lord had said, that the ordinary exercise of the law would have been sufficient to put down the disturbances. So thinking, he was surprised that the noble Lord had not resisted the Bill, as some called it, for coercing; but as he considered it for protecting the people of Ireland. In furtherance, as it was to be presumed, of the noble Lord's object, to make the existing law sufficient for the necessities of the case, the noble Lord had endeavoured to cast odium on the police of Ireland. In every large body of persons, there must be some obnoxious to censure; but he would take upon himself to say, that, generally speaking, the police of Ireland was a most valuable body of men. Yet, notwithstanding this fact, and notwithstanding the fact that the lives of the military, as well as the police, had been perilled by the mob, still the noble Lord was of opinion, that in a civilised country the police was a most unconstitutional force, and that their staves ought to be taken from them. To disarm the police was the way in which the noble Lord would proceed to tranquillise Ireland. He would not have trespassed so long on their Lordships, but that he wished to avoid the fate of his great predecessor (Lord Strafford). It was evidently against so insignificant a person as himself (Lord Plunkett) that the noble Lord's Motion was directed; for the address proposed was not to pray that the Lord Lieutenant should be instructed to inquire into the state of the Barony of Gallen, but that he should be required to specify what were the grounds on which the Peace Preservation Act had been extended to that Barony.

The Marquess of *Westmeath* was afraid that the noble Lord had been led astray by false information. He had no particular information as to the state of Mayo, but he could say, that the police of Ireland were a most deserving body of men. Except on particular occasions, they were uniformly employed in the counties of which they were the natives, and were considered by all the respectable part of the population as their friends and protectors.

Lord *Teynham* said, that the noble

Marquess had given such a satisfactory explanation that he could no longer doubt that the affidavits he had received were erroneous. Under that impression he should beg leave to withdraw his Motion.

Motion withdrawn.

HOUSE OF COMMONS,

Monday, *March* 18, 1833.

Minutes.] Petitions presented. By Mr. Byng, from St. Luke's, Chelsea, for the Abolition of the House and Window Tax; from St. James's, Westminster; St. Michael's, Highgate; from Hornsey, Ealing, and other Places,—for the Better Observance of the Sabbath: and to the same effect, by Mr. Edward Buller, from Tutbury and Howden; by Sir William Folkes, from Fakenham and Watton; by Mr. Strutt, from Derby; by Mr. Hodgson, from certain Teachers of Newcastle-upon-Tyne; by Mr. A. Johnstone, from Dollar, Dunfermline, the Shoemakers of London, and from the Presbytery of Haddington, and other Places; by Mr. Alderman Wood, from Bartholomew-the-Great; by Mr. J. B. Carter, from Bedford; and by Mr. Bethell, from Draypool and Howden.—By Mr. E. Buller, from Tutbury; and by Sir William Folkes, from Gratwich,—against the Sale of Beer Act.—By Mr. Fergus O'Connor, from several Places in Cork,—against the Suppression of Disturbances (Ireland) Bill, for the Abolition of Tithes, and for the Abolition of Tolls at Markets and Fairs; from Rossmore, for the Revision of the Grand Jury Laws; and from Kilgalan, for the Repeal of the Union.—By Colonel Butler, from Powerstown,—against the Coercive Bill; and from Callan, and Lisdownes, for the Repeal of the Union, and the Abolition of Tithes.—By Mr. Sullivan, from St. John's, Kilkenny, and other Places; and by Mr. Marshall, from the Political Union, Leeds,—against the Suppression of Disturbances (Ireland) Bill.—By Mr. Mark Philips, from Manchester, for Liberating Robert Taylor, against the Monopoly of the King's Printer, and in favour of the Factories Bill.—By Mr. Bonham Carter, from Portsmouth, for the Repeal of the Duties on Soap, and for the Repeal of the Disabilities on the Jews.—By Mr. Andrew Johnstone, from the Inhabitants of Kirk newtown and Cupar, against Church Patronage (Scotland).—By Mr. Marshall, from Leeds, for the Removal of the Restrictions on the Trade with the Brazils.—By Mr. Fielden, from Oldham, for the Abolition of Slavery; and from Todmorden, for the Abolition of Tithes and the Corn Laws.

Presentation of Petitions.] Mr. Byng having presented a petition from the Baptists of South Street Chapel for the immediate Abolition of Slavery,

Mr. *Fowell Buxton* wished to know, whether, in consequence of the understanding that had taken place the other day, he was now to bring up all his petitions on the subject of slavery, as he had a great number.

Sir *Andrew Agnew* observed, that the first petition which had been presented by the hon. Member was for the observance of the Sabbath. He submitted to the House, whether, under the understanding alluded to, all petitions on that subject ought not to be presented first?

The *Speaker* considered that the course pursued by the hon. member for Middlesex was extremely fair. For his own part, he was not aware of the understanding alluded to by the hon. Member, for presenting no petitions but those which related to the observance of the Sabbath.

Sir *Andrew Agnew* certainly understood that when the first petition on any subject was presented, every hon Member who had similar petitions was to lay them on the Table of the House.

The *Speaker* observed, that, unfortunately for the statements of the hon. Baronet, the first petition presented by the hon. member for Middlesex was not for the observance of the Sabbath.

Mr. *Wilks* considered it would be utterly impossible for the House to comply with the request of the hon. Baronet to receive exclusively petitions of one particular description. He had twenty or thirty petitions on different subjects to present, and if the course suggested by the hon. Baronet were to be adopted, he should be under the necessity of attending day after day, perhaps for months, before he should be enabled to present all his petitions. He thought the House could not do better than to take its old course of receiving petitions on all subjects.

Mr. *Hodgson* concurred entirely with the statements that had been made by the hon. member for Boston, though he had certainly understood that the arrangement mentioned by the hon. Baronet was to take effect.

Mr. *Lamb* said, that whatever course the House thought proper to pursue would meet with his approbation. He must, however, frankly state, that he left the House the other day with impressions very different from those of the hon. Baronet opposite. He certainly did not consider that any understanding had been come to on the presentation of a series of petitions on a particular subject; but even if such an understanding had been come to, he begged to remind the hon. Baronet that the petition which was first presented by the hon. member for Middlesex related to the Assessed Taxes. He thought the House could not do better than follow the old course of receiving petitions upon different subjects.

The *Speaker* trusted that hon. Members would not occupy the whole of the morning upon a discussion which could end in nothing. He certainly was not aware of the understanding alluded to by the hon. Baronet. All that he understood was, that the noble Lord (Lord Althorp), upon a question being put, stated that he had no objection to any course being pursued which was acceptable to the House; but the discussion of the question at the present moment would only be attended with waste of time.

The subject was dropped.

EMANCIPATION OF THE JEWS—PETITION.] Mr. *Mark Phillips* presented a Petition from the Jews residing in and near Manchester for the removal of the disabilities under which they laboured, and praying that they might be enabled to enjoy the same rights and privileges as their Christian fellow-subjects. Also one from the inhabitants of Manchester, very numerously signed, to the same effect.

Colonel *Williams* had been requested to support the prayer of these petitions, which he did most cordially; he hoped the question would be soon brought before the House, and finally disposed of in the liberal manner which was now expected by the country.

Mr. *Cobbett* said, he could not sit and hear any hon. Member state that the Jews had a right to the privileges that were now demanded for them, without asking the House whether it was prepared to do away with the law of the land as laid down by the greatest authorities—whether, in fact, it was prepared to pass a law that would abolish Christianity in England? It was stated that the Jews were peaceable men, but it was well known that that peacefulness of conduct was assumed for a particular motive, to which he would not further allude at that time. He called upon hon. Members not to be led away by this cry of liberality, nor to allow those who daily blasphemed Christ to have all the privileges which had been secured to Christians in this Christian country.

DUTIES ON SOAP.] Mr. Alderman *Wood* presented a Petition from the Dealers of Soap in the neighbourhood of London, signed by upwards of 600 persons complaining of the interruption to their trade by the heavy duties which were placed upon that article, and which rendered it impossible for them to compete with the foreigner in that article. The duty on the soap made use of by the lower and middle classes was 120 per cent., while that consumed by the rich did not pay more than fifty per cent. He therefore hoped it would be repealed.

Mr. *Cobbett* said, the hon. Alderman had hoped that the Chancellor of the Exchequer would be enabled to repeal this tax. Whether that noble Lord would do so he did not know, but this he knew, that the House was able to prevent him having this tax any longer, and to his mind the way to teach the noble Lord how to do without the tax, was not to let him have it. Here was another instance, added to the many he had brought forward the other day, where the poor were taxed in a much greater degree than the rich. Even in the common article of soap, which might be made for twopence-halfpenny a-pound, the poor were made to pay sevenpence or eightpence for it. The poor were made to pay 120 per cent., while the rich only paid fifty. Another article he would mention was paper; why the commonest paper in which the people wrapped their tobacco or sold their sugar paid a duty per lb. equal to the finest gold-edged paper. He should like to know the motive for all this. The noble Lord had ascribed to him on a previous occasion bad motives. For his part he judged of motives by acts; and who could doubt that the partial tax on soap was for the purpose of oppressing the poor, and relieving the rich?

Mr. *Lamb* stated, that Lord Althorp was at present engaged in a most important Committee, which was the reason why his noble friend was not in the House. In the mean time, however, if it was agreeable to the hon. Member to make short speeches, he hoped the House would not take the assertions for granted, until the person who was most competent had an opportunity of answering them.

Mr. Alderman *Wood* said, it was quite clear, when soap was charged with a duty of 28*s.* per cwt., that the poorer classes, who used the common soap, paid much more duty than the higher classes, who used a more expensive soap. The duty should be repealed altogether or so altered as to make it an *ad valorem* duty.

Petition laid on the Table.

ABSENTEES—TITHES (IRELAND).] Mr. Alderman *Wood* presented a Petition from certain persons in the Borough of Southwark, against the Irish Coercive Bill. He begged to state, that on a former occasion, in giving his opinion on that subject, he had been misunderstood, in reference to a Company belonging to the city of London which had land in Ireland. He did not allude to the Merchant Tailors' Company, which had no land in its own possession in Ireland, but to the Fishmongers' Company, to which he himself belonged. That Company had only had their land ten years, during which time they had laid out 70,000*l.* upon it. The people who lived on it were comfortable and happy, and the only complaint they had to make was against the tithe system.

Colonel *Butler* presented a Petition from Kilkenny, against the present Tithe system. The petitioners were of opinion, that if the Government took the Church property into its own hands, it would be possible to exonerate the people from payment of tithes. He agreed with them in opinion, and in order to convince the House of the real value of Church property, he would read the particulars of a document which he had carefully gone over. In a parish of the diocese of Ossory, in the county of Kilkenny, not far from where he resided, there was a portion of land, amounting to 407 acres, two roods, and thirty perches, belonging to the Bishop, for which the occupying and ostensible tenants paid a rent of 658*l.* 5*s.* 0¼*d.*, being an average of about 32*s.* an acre. The Bishop of the diocese received from this land, of which he was the head landlord, a rent of only 2*s.* 6*d.* per acre, and 1*s.* 3*d.* by way of renewal fine, making together 3*s.* 9*d.* per acre, or one-eighth, as near as might be of the actual rent paid for the land. The noble Lord (Lord Althorp) when he had spoken about the Bishops not getting above one sixth of the actual value of the land, instead of saying he would take means to enable them to get their full value, and thus support the clergy entirely out of the Church lands, and remit tithes, talked of the vested rights of the tenants and proposed to allow them to perpetuate those rights on the payment of six-years-and-a-half purchase of the rent, they paid a proposition which he must call perpetuating the plunder of the Church. The noble Lord seemed to think that these tenants had a right to take advantage of the situation in which they stood with respect to the Bishops, but he contended that they had no more right to do so, than the peasant who wished to perpetuate his lease under the Rockite system. He had also a Petition to present ftom Lisdowny against the tithes and praying for a Repeal of the Union.

Mr. *Finn* did not want the hon. Alderman behind him to apprise him that a wealthy company having land in Derry was on good terms with its tenantry. It received 84,000*l.* in rent, and in the course of the year, had expended 70,000*l.* in improvements, and received of course the blessings which were bestowed on landowners residing on their own property. But Ireland, in general, could not in any way be compared to that condition of things. He knew of a nobleman who was in the receipt of about 20,000*l.* a-year from Ireland, and 20,000*l.* from England, and he ventured to assert, that that nobleman did not expend 200*l.* a year in Ireland. Was it to be wondered at, then, that there should be discontent among the poor tenantry of Ireland? Five millions of money were sent from Ireland to this country every year, and nothing could have been more injurious to Ireland than the system of absenteeism which had so long prevailed. The gentry withdrew from their country—their moral influence was also withdrawn—the employment which a residence there would give to the poor was likewise withdrawn, and everything contributed to distress the already afflicted people of Ireland. In the other House of Parliament it had been stated, as a ground for the necessity of the coercive measure, that Juries in Ireland could not be found to do their duty. One of the petitions presented from Kilkenny had falsified the statement in the most decisive manner, because it stated, that no less than seventy convictions had taken place in Kilkenny itself. He would venture to assert, that instead of no convictions taking place, in the present state of the minds of Jurors, persons would be too easily convicted. He recollected a case in which, by his own exertions, he had saved an innocent person from punishment, after that person had been convicted, because he had felt satisfied in his own mind that that person was innocent, and he was able afterwards to prove to the satisfaction of the Government, that the verdict was wrong. There were also the circumstances concerning the murder of the Mara's, and the execution of the six men who were supposed to have committed the murder, a circumstance which was not to be forgotten. It was shown to demonstration that no less than five of those individuals who had been executed, were perfectly innocent of the crime imputed to them. The five real murderers were subsequently discovered, but could not be convicted for want of sufficient evidence. It was true that English and Scotch gentlemen did not know how justice was administered in Ireland. It was true that its administration had been a mockery, but not a mockery in the sense in which Ministers had described it. In Ireland the Administration of justice was a mockery, because the poor were not able to defend themselves, and were compelled to submit to the vexations of the rich and influential.

Petition laid on the Table.

ABOLITION OF SLAVERY.] Mr. *Marshall* presented a petition from Leeds, signed by 18,800 persons, praying for the Abolition of Slavery. He considered the present petition was a proof that the interest that had been taken by the people of Yorkshire in the abolition of slavery had not in the least diminished.

Lord *Morpeth*, in rising to support the prayer of the petition, observed, that it might be considered obtrusive on the part of Members for counties to come forward to support the prayer of a petition from boroughs in that county; but he considered that if, at any time, the Member for a county was justified in coming forward for this purpose, it was on the presentation of a petition from the most important town in the West Riding of Yorkshire —a community that had been more prominent in their opposition to negro slavery than any other part of the British empire.

Mr. *Cobbett* said, that how far members for counties might be justified in supporting the prayer of petitions coming from the boroughs in the county they represented was, in his opinion, a question that had much better not be discussed, for every Member had a right do on that point as he liked. With respect to the matter of the petition, his constituents wished as much as any set of men could do that negro slavery should be abolished, but they had expressed their desire, and he thought it was reasonable before that abolition took place, to know whether the Negroes were fed worse or clothed worse than his constituents were. His (Mr. Cobbett's) opinion was, and he knew something of the matter, that they were both fed and clothed a great deal better than the working people in England, Ireland, and Scotland. He should like that some Member, when the Bill should be brought before the House, should submit some statement which would show the comparative modes of treatment in the two cases. He was aware of the zeal of many Members, and that some bad cases had been produced merely to suit their particular views. He was confident that many Members had been much misled on the subject. For his own part, he had told his constituents that he would vote for the Bill, merely to please them; but if the House went into an examination of the mode of treating negroes in the West Indies, and the mode of treating the poor people of England, Ireland, and Scotland, he was sure that it would be found that the latter were by far the worse off.

Mr. *Andrew Johnstone* said, he was in the Committee appointed last year, and he was of an entirely different opinion from the hon. Member.

Petition laid on the Table.

BOROUGH OF HERTFORD.] Mr. *Bernal* the Chairman of the Hertford Election Committee, stated that he had given notice of his intention of moving that the special Report of the Hertford Committee desiring that a Message might be sent to the House of Lords, to request their Lordships' leave for the attendance of the Marquess of Salisbury, and the production of certain of his leases of property in the borough, be taken into consideration that night. He had now to inform the House that the further consideration of this subject was rendered unnecessary, in consequence of a letter addressed to him that day by the Marquess of Salisbury, and which he would take the liberty of reading to the House. The letter was dated "The House of Lords," and was to the following purport. "Sir—Understanding that it will suit the convenience of the Committee to see the agreements entered into with some of my cottage tenants, and as some difficulty may arise in the way of obtaining them by motion in the House of Commons, I beg to enclose one, which I have in town, for the information of the Committee. They are all of a similar form, and I shall have no objection to submit to your inspection those specified in the votes of the House of Commons. But some delay will necessarily occur before this can be done, as they are at present in the country." Mr. Bernal said, he was sure that the House, after hearing that letter, would be of opinion that it was unnecessary for him to proceed with the Motion; and he should therefore propose that it be withdrawn.

Motion withdrawn.

SUPPRESSION OF DISTURBANCES (IRELAND)—COMMITTEE.] Lord Althorp moved the Order of the Day, for the House to resolve itself into Committee on the Suppression of Disturbances (Ireland) Bill.

On the Question that the Speaker do leave the Chair.

Mr. *Cobbett* rose, and said, that as he had not had an opportunity during the debate on the Bill to express his sentiments on it, he should take advantage of the present opportunity. He was sorry to think that the Bill had been engendered in the heart of an Englishman, and brought into that House by the hands of an Englishman, but he should deem himself unworthy of existence if he did not stand up and declare the horror he felt at the introduction of such a measure. He had been lately looking into—though, indeed, it was not necessary for him to look into—for he well remembered the deeds of Pitt, and Sidmouth, and Perceval, and Castlereagh, but the present measure had an infamous pre-eminence over all the deeds of all those men. In the first place, under this Bill military tribunals were to supersede the ordinary Courts of Justice. They had heard a great deal of Whitefeet and Blackfeet, and midnight outrages, and murders; but when he looked into the Bill, he found that the military tribunals were not confined to the trial of the Whitefeet and Blackfeet. Those red-coat tribunals were to decide in cases of libel, without the intervention of a Judge or a Jury. The Whitefeet, and the midnight robbers and assassins, were not the writers of libels? This part of the Bill, therefore, could not be intended for the Whitefeet, and the midnight robbers and assassins. Comparing this Bill with others to which it bore any resemblance, he found in it one very remarkable omission. The Members of that House were not protected. It had always hitherto been usual to insert a clause, stating that if any Member of that House was charged or suspected of having committed any of the offences against which the Bill was directed, its provisions should not be applied to him until the pleasure of that House was first taken. No such clause, however, appeared in the present Bill, and any Member of that House who happened to be in Ireland either by accident or design, might, at the will of the Lord Lieutenant, be seized and tried before one of those red-coat tribunals, and transported the next day. Any one of the Irish Members of Parliament, who stood up in that House for his country, and spoke against this Bill, was liable upon his return to that country, to be condemned and sent off to Botany Bay before the House could hear of his arrest. And would they allow this? Was the House sunk so low as that? Would it suffer that any Member of that House might be transported at the pleasure of the Lord Lieutenant of Ireland, with a red-coat tribunal, every Member of which the Government might dismiss at its discretion. This was a new power to invest a Government with. They were obliged to come to a Reformed Parliament for that power. The unreformed Parliament —the Parliament of the boroughmongers, their nominees as it was called, never did anything like that. He had always said, that to a military Government this country (as well as Ireland) must come, unless the Government reduced the pressure of taxation. It was impossible to carry on the Government as at present, without a military force. The taxes could not otherwise be levied; Judges and Juries must be dismissed wholly and entirely, in order to carry on a system so partial, so oppressive, so villainously unjust. Therefore he warned the House, and he warned the people of England, against the scourge which his Majesty's Government was preparing for them. It was nonsense to say, that this was only a temporary measure. Ministers meant that it should be permanent—the settled mode of governing the country; and they meant to introduce the same into England as speedily as possible. He said, the other evening, and the assertion was well, as the argument had been left unanswered—that he believed the Government had the project in contemplation to begin to govern England, as Ireland has been long governed. He believed that they had it in contemplation to establish, first, police stations in all the towns and villages of the kingdom; second, to supplant these by a more direct military force; and third, to erect the red-coat tribunals for the trial of offenders, and of all matters of dispute. Tyranny always came by slow degrees; and nothing could tend more to illustrate that fact than the history of the police in this country. When the establishment of a police force was first proposed, Englishmen were shocked at the idea. The name was completely new among us; but coupled with the history of France, it carried with it fearful notions of tyranny and despotism. The noble Lord opposite doubtless remembered well, how stoutly the noble Earl, now the First Lord of the Treasury, and Mr. Sheridan, and some others, who pretended to have a regard for the liberties of Englishmen, and who, at that time professed, as it were, an inbred hate of every thing bearing the remotest semblance of military Government, fought against the introduction of the police system into this country. They made a noble stand upon that occasion; but, all that they could obtain in relaxation of the original proposition was, that police officers should not vote at elections, and that they should be eligible to sit in Parliament. So we continued for some time with a police office in Bow-street, a couple of police Magistrates, and a few police officers. That was not so very insufferable: but at length the right hon. Baronet, the member for Tamworth, came forward and said: "I think that owing to the improvement of the age, we want something a little more regular in the form of our police." This led to the introduction of a police with blue coats, red waistcoats, blue pantaloons, and ash sticks in their hands. These gentry walked about and showed themselves with wonderful pride; but no sooner were they established than he had said "This is the first step—we shall soon have them in half uniform." His saying proved to be true, for, behold! we had now a police with numbered collars and embroidered cuffs—a body of men as regular as any in the King's service, as fit for domestic war as the red-coats were for foreign war. The right hon. Baronet, however, left his police unarmed; that last improvement of the age was reserved for the present Government; and now we had the gratification of seeing the police with swords on thighs, and pistols in their belts. What did they want with swords and pistols if they were not going to war? But the improvement of the age proceeded, and we should by-and-by, see them with carbines and bayonets, as regularly armed as the police of any of the French sovereigns, from the days of Hugh Capet to the present hour. Besides, the system was spreading. Formerly it was confined to London, but Ministers had been smuggling it into the great towns; and before long there would be a regular police force established in every village. Nothing in the world would prevent that—nothing in the world could successfully obstruct this march of tyranny, but that right of resistance which the people may use against acts of oppression. How the noble Lord and his colleagues could reflect upon the past—how they could look upon the history of their country, and then contemplate the present state of things, and the designs which they had in view, he for one was at an utter loss to imagine. All foreign writers had agreed, that the highest excellence of a wise government—that which distinguished England above all the countries of the world was, that it was governed by the sheriffs wand and the constable's staff. "The latter," said one of them, "even though it be a decrepit old man who wields it, is ever found sufficient to exact the most implicit obedience of the laws. This is the highest test of a good government and of a happy people—this is the beauty of England, of its laws, its Constitution, and its community." How the noble Lord, therefore, could reconcile to the integrity of his mind the course which he and his colleagues were pursuing, was a matter of the utmost astonishment to him. He conjured the noble Lord, as a member of the Government, to take heed, lest, by his proceedings, he prevented the hope of ever again seeing the people of England willing to yield to the unbacked authority of the constable's staff. He, and those who thought and spoke as he did, were accused of harbouring wishes to destroy the Constitution. The fact was not so. His desire was, to restore it to its former brightness. He wished to see England as happy as she was when he was born; and the principle he went upon was, not to leave her in a worse condition than he found her. But he feared he should not succeed in his object. Blackstone, in his "Commentaries on the Laws of England," laid it down that the main principle upon which those laws were based, was the prevention of the Executive from forming a body too distinct from the people; and, therefore, that it ought to be selected from the people, as in the Roman republic; but the main object which the Constitution seemed to be directed towards now, was to make the Executive as distinct from the people as possible—in fact, if it must be said, to make it an instrument of tyranny over them. The same authority to which he had referred, said also, that the army ought to be composed only of the real subjects of the King of Great Britain, not of Hanoverians; that they ought to be enlisted for a limited time; that the soldiers ought to be encouraged to mix with the people; that they ought to have no separate camp, no barracks, no inland fortresses;—and Blackstone said, also, that it would better accord with the principles of the Constitution, if the soldiery were so enlisted and discharged, as to keep up a general and constant change throughout the army, so that all the people should serve by turns. The people had only to read Blackstone to be made sensible of the full extent of their present degradation. To be sure, some of the commentators upon that Judge differed considerably from his explanation of the law; Mr. Christian, for instance, who said that barracks were good for the soldiery. He would not trouble the House with any further remarks upon this topic, but would proceed to inquire what the next step would be after this Bill was passed; he believed it would be the introduction of military tribunals into England. These tribunals, to be sure, at present were only collaterally introduced. They were introduced into Ireland; but he thought it his duty to resist their introduction as much as if they were about to be introduced into England. Every man loved his country—every man had a peculiar liking to that part of the country in which he was born. He also felt this love; he was affectionately attached to the spot of his birth-place—the western district of the county of Surrey; yet so help him God, he would as soon see the introduction of military tribunals into that part of the country as into Ireland; because nothing could be baser or viler than, when a Government demanded extraordinary powers, to demand it for one place alone, and that a weak or distant one, and not for the whole kingdom. When this power was introduced into the districts of Ireland, it would be soon introduced into those of England. Why, if the slightest disturbance appeared in Cornwall or Kent, they would immediately have recourse to the same measures, and extend them all over England. If the people consented to this monstrous precedent, they would shortly see armed stations in every hole and corner of England. He might be asked, perhaps, whether he believed that the nobility and gentry of England—the country gentlemen of England—whether they, who had such a stake in the country, would ever give their consent to the introduction of such a measure into England? He believed that they would; that they would even like it. He thought they would find it very convenient to have a police-station in their several villages, to serve as gamekeepers, and the instruments of a little parochial tyranny. That was his real belief; and, therefore, he would recommend the people of England to look well to the progress of this measure; they should use every means in their power to prevent the consummation of tyranny. For his own part, he had seen no information to warrant the assertion, that the ordinary laws were not sufficient for the present state of Ireland. At one Assizes he saw that seventy persons were convicted, or ran a chance of being so; but the framers of the present Bill represented Ireland as in such a state that the ordinary laws could not be enforced. The truth was, some counties were disturbed, but Ministers wanted to make the whole country alike, for their own particular purposes. In circumstances somewhat similar, how did Washington act? When the country he governed, within 200 miles of the State of Pennsylvania, was in a state of commotion to put down the excise laws, what did he do? Did he demand a suspension of the *Habeas Corpus*? Did he ask for Courts-martial? No; he told the disaffected to obey the laws, or he would use military force to compel them. Not that of a standing army, but a force composed of freemen and citizens. The discontented did not obey the first order, and in less than ten days Washington had an army of 10,000 volunteers, accoutred at their own expense, to enable him to enforce obedience to the laws. The commotion was soon quelled; one culprit was condemned, and the others pardoned. What was the consequence of such conduct? Why, the most ready obedience to the laws was restored. Why did not the present rulers of the country act in that way towards Ireland, instead of introducing military courts, the officers of which depended for their daily bread upon Government, and who had the power of transportation for life? His great objection to the Bill was, that it was clearly a declaration of the establishment of a military Government, not only in Ireland but in England. Let any legal resistance break out in any county of England, and then in another, and not only those counties, but the whole of the kingdom would be subjected to Martial Law. This might happen before long, and it was his firm conviction that Ministers contemplated such an end, and that they would come to it, if the Bill were suffered to pass that House. However, he felt satisfied that their unworthy and base scheme would not succeed. The people of England had too much good sense—they needed no precedent of resistance—they were taught by nature to resist such an Act as the present, and to prevent it from ever becoming a precedent for their posterity to be enslaved by. The right hon. Secretary on the Bench opposite, would not deny, that there was such a right as the right of resistance. How could he, after what he said the other night about the American revolution? How could he, when he reflected that the present reigning family were placed upon the Throne by this very right? He might also recollect, that after the Restoration, Charles 2nd had an act passed, in the fourteenth year of his reign, by which, under no circumstance, and in no case, the subject had a right to resist the King. But by the first of William 3rd this act was repealed, and consequently, the law was left as it was before, allowing that, in some cases, the subject had a right to resist the King—nay, that in some cases he might take up arms in furtherance of that resistance. The case that justified such resistance was, when the main principles of the Constitution were attacked by any portion of the Government. Then a right to resist with arms was permitted. The right hon. Secretary for Ireland and the hon. member for Leeds, had emphatically stated to the House, that the Americans had a right to resist their King; that their revolution was a glorious one, and that those who aided in it were heroes, whose deeds deserved to be loudly applauded. Very well, what made them resist? Why they resisted because the King "attempted"—mark the word attempted—to take away Trial by Jury. That was one cause of their resistance, and it was allowed that they made it on lawful grounds. In the next place, they resisted because there were mock trials of the English soldiery, who committed murder and yet were acquitted. Whether these last sorts of trials were now destined to be used towards the soldiers employed in Ireland he knew not. Another ground of American resistance was, that the King "affected" to make military power superior to civil power. This was not a charge that could be literally brought against the present Ministers; they had not only affected to do it, but they had done it. These three causes had been deemed sufficient to justify the American revolution. Now, what were the causes which were deemed sufficient to justify the resistance of our ancestors to James 2nd? They were these: — He had superseded, in some instances, the Trial by Jury, and he had kept up a military force without the consent of Parliament. Unfortunate James—had he lived in our times, he would have had no difficulty in obtaining the consent of Parliament to that or any other measure he might have proposed. All the crimes which England committed against the liberties of America, and which James 2nd committed against the liberties of England, were committed by this Bill against the liberties of Ireland—and in the name of common sense, what for? They were about to cover the face of the country with armies, and for what purpose? To put down those who resisted the payment of tithes. This was clear to everybody that made the slightest inquiry into the matter. A great deal had been said about poor parsons, as if there was one in every parish of Ireland. Pity the poor Irish parsons indeed! Why there was not one of them who was poor. In Ireland there were twenty-two Bishops, and, therefore, twenty-two dioceses; there were 3,436 parishes, according to the returns made when the Duke of Bedford, the father of the noble Lord opposite, was Lord Lieutenant, and there were only 501 resident parsons in that number of parishes. Now, how could these parsons be poor? But the fact was, that people did not know how Church matters stood. They did not know that Bishops, who might be termed a species of overseers, had seldom more than half-a-dozen parsons to oversee and look after; and there was another thing they did not know—that all Church property, at least the great mass of it, belonged to the aristocracy. That property was now in danger, by the present resistance to tithes; and it was to put down this resistance that the present Bill was about to be passed. Why did not the framers of this Bill call it one to protect the collection of tithes, and not one for the protection of the rights of property? The former was its proper title. Eighteen out of the present twenty-two Irish Bishops belonged to noble families, or had been the tutors of the scions of nobility, and the greater proportion of Irish Church property belonged to about forty families of the aristocracy. That was a sufficient proof that the Church was the property of the nobility. "Their's is the Gospel, and their's the Law." That was what they were fighting for with arms, both military and ecclesiastical. They opposed all Church Reform, and opposed it violently; and no wonder. Did ever anybody see a fowl snatched out of the jaws of a fox without the old fellow being in a great rage? This was the reason they were in such a rage at present, and why they were so willing to fight. They were inclined to fight, not for the Gospel, but for the good things of this world. Why, in this very Ireland, there were about 250 parishes held *in propria.* My Lord Shannon held seven, and the Duke of Devonshire twenty, and so on; so that in point of fact, there was little or no *boná fide* Church property in Ireland. That property had little more to do with religion than the waves of the sea, and the sharks that live therein. The whole of that property, which was originally intended to uphold religion, and to support the poor, was now in the hands of the aristocracy, and to wrest it from their gripe would require efforts that had not been yet made in that House, but which he hoped would be begun by the resistance given to the present Bill in its passing through the House. To show that all the blame laid not with the aristocracy, he would quote a late writer, did he not fear to weary the House. The writer he meant to quote was not one of his party; he was an ally of the noble Lord opposite, and one whose testimony the noble Lord could not doubt, as he was a member of the Church. As the noble Lord, in bringing forward his measure of Irish Church Reform had recourse to rooting and raking up old documents for his purposes; so he would find, that no small portion of the clergy had recourse to similar means, and that they were ready to contend that it was not the clergy that kept back this property from the uses it was destined for, but the aristocracy. The great tithes of twenty parishes held by the Duke of Devonshire was a specimen, and a case in point. The clergy were not half so much to blame as the aristocracy. They were, moreover, at present placed in rather a pitiful plight—they were placed between two fires—the one from the people, and the other from the aristocracy. The aristocracy were about to throw the clergy overboard, and the property they were now about to take from them, they would take very good care to give to themselves. As a proof of this, he would refer to the book of the Prebendary of Durham and Rector of Northallerton, the reverend Mr. Townsend, in which he plainly accuses the grasping aristocracy of a wish to seize on now all that the Reformation left untouched of Church property. The reverend gentleman accused them of this, and said that they were proving themselves the true successors of their plundering forefathers. How could the noble Lord opposite answer this accusation? The reverend gentleman who made this accusation, had drawn up a bill of his own, since he considered the noble Lord's Bill one for the spoliation of the Church; and though that bill was not exactly such a one as he would propose, still he preferred it to the noble Lord's, as it had something equitable on the face of it. He did not know whether it was a recommendation that it had among its advocates many of the fire-shovelled gentlemen. The reverend gentleman proposed a plan to reduce pluralities; he was speaking of England, and not of much-abused Ireland. He would read this plan for the abolition of English pluralities [*Question*]. What he was about to read was to the question. [The hon. Member proceeded to read some passages from the proposed plan, but cries of "question" made it impossible to catch the sense of what he was reading.] He maintained that he was strictly speaking to the question, because he was about to show whence might arise the right of resistance to the proposed measure, and because he was about to show, that this Bill would lead to worse than the plunder perpetrated at the Reformation, and worse than anything James 2nd had done, or anything George 3rd was accused of doing towards the Americans. What right had Government to expect that the people of England would not resist the injustice about to be done to the people of Ireland, when they were sure that that injustice would soon, as a gangrene, spread over the body, extend itself to England, for they felt convinced that the present Ministers could not carry on their system of government in any other way. He had, very frequently, called them tyrants, and their measures tyrannical. Now, if it could be proved that they were tyrants, every body would allow that there was a right to resist them. If it could be proved that they were tyrants, there would be as good a right to resist them, as Moses had in destroying the task-master, or as Jehu had in ordering Jezebel to be thrown out of the window, and give her blood to dogs to lick. What tyrants always wanted was, to seize on the fruits of other men's labour, and to get their money. When the labourer let the tyrant do that, the tyrant did not want to eat his flesh or destroy him, no more than the farmer wanted to destroy the horse that ploughed his fields. This was a proper definition of the word tyrant. Let all men know what tyrants were, and remain slaves, if, when able to resist them, they did not do so. With that last sentence he would conclude. Yet since hon. Gentlemen expressed so much satisfaction at his being about to conclude, he would go on a little longer. If it were impossible to resist a large standing army and a large body of police, created to watch every movement of the body, as long as there was no paper money, as long as the Government paid in gold, the people would be more than a match for them. Why, even the very Saving Banks would be more than a match for them. But a bank restriction might be introduced, such as that the hon. member for South Durham recommended for the Dublin bank a night or two ago. But that would not do either —that would not answer the purpose of Government. To be sure, by an Order in Council, they might make paper a legal tender, and, by so doing, rob the Saving Banks; but it would be of no use, for their filthy rags had lost their power, and would not even be taken in payment for those bayonets and bullets that might be served out to the people. He did not accuse the present Ministers of being tyrants by nature —they were only tyrants half by nature and the rest by necessity. [*Question*] "Who's that" said the hon. Member "calls question? I'll make it a very long question for him if he don't mind." The Government appeared to him to be endeavouring to excite the resentment of the country, by doing that which would necessarily be considered wrong. He thought it right to lay that statement—a statement of the true facts of the case—before the House and the country, and he would allow the country from that to judge of the propriety of the measure. He called on the people to exert themselves against the passing of that measure. He called on the people of England to make common cause with the people of Ireland in resisting it. He conjured the people of England to think of their own safety by taking measures for the defeat of an Act which was to enslave their fellow-subjects of Ireland.

Question again put, that the Speaker do leave the Chair.

Mr. *Thomas Attwood* wished to take that opportunity to give notice, that he would move "That all further proceedings in the Irish Disturbance Bill be suspended till the measures relating to the Reform of the Church of Ireland, and the other measures for the amelioration of that country, have passed into laws. The day would never come when the Irish Disturbance Bill, as it at present stood, could pass into a law. His Majesty's Ministers said, that they would resign if it were rejected. He would much regret that such should be the consequence of the rejection of that measure; but even with that threat before him, he could not consent to deliver over the Irish nation to the dominion of the military. Did his Majesty's Ministers mean first to bring the country to a state of resistance in consequence of their measures, and then to resign in favour of their predecessors? He had another Amendment to move, which he would take an opportunity of doing while the Bill was in Committee—namely, "that all the power granted to the Government by that act be limited to the counties composing the province of Leinster." The right hon. Secretary for Ireland had said, that the disturbances were confined exclusively to the province of Leinster, with very little exception. He therefore, as a friend to the integrity of the kingdom, and an enemy to the Repeal of the Union, thought it most desirable not to exasperate the people of Ireland by making an Act general as to them, on account of the disturbances in one district. That was his reason for giving notice of the Amendment.

The House went into a Committee on the Irish Disturbances' Bill.

The Chairman read the fourth Clause. "And be it enacted, that it shall and may be lawful for the Lord Lieutenant or other chief Governor or Governors of Ireland, with the advice of his Majesty's Privy Council in Ireland, at any time after the passing of this Act, and from time to time during the continuance thereof, as occasion may require, to issue his or their proclamation declaring any county, county of a city, or county of a town, in Ireland, or any portion thereof respectively, to be in such a state of disturbance and insubordination as to require the application of the provisions of this Act; and such county, county of a city, or county of a town, or any portion thereof respectively, shall be deemed, and taken to be a proclaimed district within the meaning of this Act."

Mr. *Lambert* wished to learn from the noble Lord, the Chancellor of the Exchequer, what was the remedial measure relative to the clergy and their rights which his Majesty's Ministers had stated they had in preparation? At the same time he must announce his intention to move an Amendment to the effect, that "that Bill should not be made use of for the purpose of enforcing the payment of tithes in Ireland."

Lord *Althorp* said, it would be unnecessary for the hon. Member to propose such an Amendment, because his Majesty's Ministers had in contemplation to propose a measure, which while it would reserve the rights of the clergy, and secure to them what fairly belonged to them, would relieve the government of Ireland from the necessity of enforcing the measure passed during last Session for the commutation of tithes. He hoped that the proposition was one which would secure to the clergy their rights, and he was sure it would save the people from any unnecessary prosecution for arrears which might be due by them.

Mr. *O'Connell* hoped as that was the case, that the noble Lord would consent to the suspension of the enforcement of the payment of tithes by means of the police, for the present. Collisions were happening frequently, he might say every day, between the people and the police. Even that very day he had got an account of an unfortunate transaction which had happened in the county of Cork. The miserable people had attacked a party of police who were employed to levy tithes, and the police found it necessary to fire, when three or four of the people were killed. That was in a parish where he knew that there were not thirty Protestants. He hoped that the noble Lord would consent to his suggestion. There was another matter of which the people complained; that the police when they got payment of tithes from the people, refused to give them an acknowledgment for the money. Even in Roscommon—a county which was quite quiet, the police when they levied tithes, refused to give any vouchers.

Lord *Althorp* said, that it was impossible for the Government to suspend the laws for the enforcement of tithes.

Mr. *O'Connell* said, that he did not mean to press the noble Lord to put an end to tithes. But the present system of enforcing them was so oppressive to the people, so destructive of human life, so harassing to the peasantry, so ruinous in its consequences, as regarded the Government, and so contrary to every just feeling, and to the dictates of religion, that he put it to the noble Lord whether the payment ought to be enforced while those measures were in progress? If the noble Lord were to suspend the enforcement of tithes, he (Mr. O'Connell) was sure that he would have the most respectable majority with him, in support of that measure, that he ever had since he went into office. Was the noble Lord aware of the state of misery of the Irish people? This was the period of the year when they suffered more than at any other period. The last crop was exhausted, and they had nothing for their support till the next crop came in; and the misery and want to which they were subjected, was incomprehensible to any person who had not seen it. If the noble Lord would accede to his suggestion, he was sure that it would in a great measure allay the ferment which the passing of the measure then before the Committee would necessarily produce in Ireland.

Mr. *Stanley* said, that the hon. and learned Member must be aware that it was impossible for the Government to accede to his proposition. He did not know what the hon. and learned Member meant by saying that the police levied tithes in Ireland. There were two ways in which the police were employed in connexion with the collection of tithes. One was, where they were employed to protect the clergy in the levying of their tithes; and the other, where they collected the arrears of tithes by order of the Government, in those districts where money was advanced by the Government on the tithes, as voted by Parliament during last Session. But he could say, that none were employed on the part of Government to collect tithes, who were not of the respectable classes, and who had not distinguished themselves by their forbearing conduct in suppressing the disturbances. He denied that Government had proceeded against any person in arrear who could have any difficulty in paying his arrears, or who had fallen into arrears from real poverty. They only proceeded against those who opposed payment from a systematic resistance to just demands. He could not say in what manner the clergy enforced their claims, but he again asserted that the Government enforced payment from those only who were able to pay. He (Mr. Stanley) thought that the hon. and learned member for Dublin was incorrect in his information, when he stated that the police refused to give receipts to those who paid them money.

Mr. *O'Connell* said, he was always anxious to avoid making inaccurate statements, and he did not think, that the information on which he made that one was erroneous. When the police acted in the enforcement of tithes, the people, without drawing the nice distinction drawn by the right hon. Secretary, considered that they did so by the orders of Government, and indeed that their acts were the acts of the Government. In Roscommon, none but the police were employed to levy tithes. And as to the refusal of the police to give vouchers, which was doubted by the right hon. Secretary, he (Mr. O'Connell) was sure that information might be got in London to corroborate it. There were many instances in which people offered to pay their arrears, if they could get vouchers, but vouchers were refused. He was sure that the senior member for Roscommon, if he were in the House, could confirm what he said.

Mr. *Denis O'Connor* said, that the hon. and learned Member was right in his statement. He (Mr. O'Connor) was aware of several instances in the quarter of the country with which he was acquainted, where the people were ready to pay, and had offered to pay if they could get vouchers.

Mr. *French* denied that such was the universal practice. He could say that the tithes in one of the largest parishes in that part of the country, were not one-fortieth part of the rent, and were collected without difficulty.

An *Hon. Member* said, that the general impression in Ireland was, that the Bill was merely intended for the enforcement of tithes.

Mr. *Lambert* stated, that since the Bill had passed the House of Lords, he had received many letters from Ireland, in which it was stated, that if they did not think it was intended for the purpose of aiding the clergy in the enforcement of the tithes, they should have little objection to it. A provision therefore, such as he proposed, would recommend the Bill to the people of Ireland.

Mr. *James Talbot* would not have voted for the first and second reading of the Bill if he had not been under the impression that it was not meant to enforce the payment of tithes. With regard to a statement made by the hon. member for Tralee on a former evening, that he (Mr. Talbot) had been a member of the Political Union, he denied that he had ever become so with his knowledge or consent.

Mr. *Maurice O'Connell* begged leave to read a letter which he had received from Mr. John Joseph Murphy, of Dublin which would show the House what that gentleman's version of the story was. The hon. Member then read the letter, in which it was stated that Mr. Talbot accompanied the writer and Mr. French to the meeting of the Trades' Union. While there, Mr. Murphy asked Mr. Talbot to allow him (Mr. M.) to put him into nomination. Mr. Talbot answered, "Not now." Mr. Murphy then proposed that he should be put in nomination at the next meeting; to which Mr. Talbot did not object but assented. And accordingly he was proposed, and made a member. A few days afterwards Mr. French received a letter from Mr. Talbot, who by that time had gone to Athlone, in which he stated that he feared it might do him an injury with his constituents if it were known that he was a member of the Union, and begging of Mr. French to get his name withdrawn.

From all this it would be seen that Mr. Talbot was aware that he was made a member, and that he consented to be put in nomination.

Mr. *Talbot* said, that the version given by the hon. member for Tralee was very different from what he had formerly heard from Mr. French. He (Mr. Talbot) was not ashamed of having attended the meeting of the Union. He went there merely from curiosity, just as he had once gone to the Rotunda to hear the hon. Member lecture on the state of the Church.

Lord *Althorp* reminded the hon. Member that this discussion was wholly irrelevant.

Mr. *Henry Grattan* wished to know in what part of the Bill his hon. friend (Mr. Lambert) proposed to introduce his amendment. The right hon. Secretary said that none had been proceeded against except those who were able to pay. He knew, however, that the Attorney General had incurred expenses to the amount of 20*l.* for the recovery of a few shillings of tithe. He thought it would be better that the enforcement of the payment of arrears should lie over for three months.

Mr. *Shaw* thought there should be no misunderstanding on this subject, and hoped, therefore, that the noble Lord (Lord Althorp) would explicitly state whether or not he meant to convey, that the established clergy of Ireland were to be treated as outlaws? Whether or not they alone were to be denied the protection of whatever laws might be in force for the security of person, property, and life in Ireland? He did not ask more for them than for any other class of his Majesty's subjects—but it would be the most cruel injustice if they were to receive less, merely because they were the most defenceless and oppressed class of persons in the United Kingdom at that moment.

Lord *Althorp* said, that if outrages were committed, they should be punished because they were outrages, not because they had reference to tithe.

Mr. *O'Connell* said, that the additional powers were merely for the enforcement of tithes. It was a tithe bill from beginning to end.

Mr. *Finn* thought that his Majesty's Ministers should avow what the real object of the Bill was. If they said one thing and meant another, the consequence would be most injurious. The right hon. Secretary had talked of extinguishing tithes, but he had only enforced the collection of them, and the consequence of that was, that blood had flowed in torrents.

Mr. *Sheil* said, that the noble Lord opposite denied that the intention of the Bill was to enforce tithes. He did not mean to say, that the intention of the Government was, that as soon as a decree was given against a man for tithes, that decree should be delivered over to the soldiers to be put in force. But though the Ministers did not go so far as that, they went further than they pretended. There was in this Act a distinct reference to an Act of Parliament which referred exclusively to tithes. The Act 27th Geo. 3rd, related exclusively to tithes, and it was embodied in the Bill then before them. There was a series of enactments in that Act, which related not to property in general, but exclusively to tithes. That the noble Lord could not, and did not deny. Then it was pretended, that the Bill then under their consideration did not relate to tithes, but to property in general; but still that Bill referred to, and embodied, another Statute which referred exclusively to tithes. The only difference was, that the last Bill was severer than the former. It was as if they had culled out all the Irish statutes. [An *Hon. Member* said the Act to which he had referred was the Whiteboy Act.] No; it was not the Whiteboy Act. The Whiteboy Act was the 15th and 16th of George 3rd. He thought it a pity that some of the Law Officers of the Crown, the Solicitor General, for instance, should not be present, to set the House right when they were at a loss about statutes. What he charged the Government with was this—that they passed a measure, as a general measure, the last clause of which must be intended by them for the peculiar and specific protection of one class of individuals. That was his allegation. Did the Bill not refer to the Act 27th Geo. 3rd? It did.—[Mr. Stanley here rose to make some observation, when Mr. Sheil exclaimed, " Now, don't be angry!"]—Did the Bill refer to the eleventh clause of that Act? It did. Did not that Act refer to tithes? It did. Did not, therefore, an Act, which embodied the whole of the provisions of that section of the 27th George 3rd, refer to tithes? And was it not intended for the protection of the clergy? He did not ask the Ministers not to deceive them; but he asked them not to deceive themselves, by imagining that the Irish could believe, that a bill which embodied the whole provisions of an Act which referred entirely to tithes, was not intended for the protection of the clergy alone, and to enable them to enforce the payment of those tithes.

Mr. *Stanley* said, the clause referred to by the hon. Member was, "such persons as shall by force, threat, or other unlawful means." [" Hear, hear," *from Mr. Shiel.*] He would not say to the hon. and learned Member " Don't be angry," but he would express a hope as the hon. Member had had his turn, that he would allow him to have his. The Act to which reference had been made, was passed for the purpose of putting down the Whiteboy system in Ireland. It was ordinarily known by the name of the Whiteboy Act, and was intimately connected with what was called in that country "the Whiteboy code." The present Bill, in embodying that Act, only placed tithes on the same footing as other property. It gave the property of the clergyman only the same protection as it afforded to other kinds of property in Ireland. It was an Act not for the collection of tithes, but for giving security to property, and it would be gross injustice and folly if, in reciting this Act, the Government had excluded the sections which afforded protection to tithes, whether the property of the clergy or of the laity. Parliament had not as yet thought proper to take the tithes out of the hands of the clergy; until the property was so taken from them, they were entitled to its possession as fully as any person was to any other species of property. It was impossible not to see that this Bill would be applicable to the protection of property in tithes; but if Parliament had left out those provisions, there would have been no such thing as collecting tithes at all in the disturbed districts. The hon. Member had said, that its object was, to assist in the collection of tithes alone; but that was an unjust conclusion, for tithes were only included because it would be a gross absurdity and a gross injustice if tithes were the only kind of property not entitled to protection under that Bill.

Mr. *O'Connell* observed, that the Act which had been referred to, and which appeared to be followed in the Bill then before the House, looked to tithe property almost exclusively. It legislated for tithes far more than it legislated for *bona fide* landed property. He denied that the 27th George 3rd was a Whiteboy Act. It inflicted penalties on those who attempted to prevent the collection of tithes or dues, or who endeavoured to defraud the clergy of tithes or dues. The powers granted in that section of the Act which had been quoted were, by this Bill, given to a Court-martial of five or seven officers. He, therefore, said emphatically, that this was a tithe Bill—a bill for collecting tithes by the aid of Courts-martial. Any man who refused to pay tithes might be considered by such a tribunal as having committed an act of fraud; by this Bill he might be visited with transportation—under the other, imprisonment or whipping awaited him. This measure, he repeated, was emphatically a Bill for tithes.

Lord *Althorp* denied, that the interpretation of the learned Gentleman with reference to the 27th George 3rd was correct. If the hon. Member would read the particular clause, he would find that it was directed against "any unlawful combination to prevent the collection of tithes, or any forcible obstruction to the clergyman, or any violence used towards him in collecting tithes." The only point in which tithes came within the purview of the clause was, where an illegal conspiracy was entered into for the purpose of preventing the payment of tithes. The construction of the hon. Member was not to be found in the common sense of the clause.

Mr. *O'Connell* said, the construction was not his alone, but that of the Judges of the land. Mr. Barrington, who was for seventeen years Crown solicitor on the Munster circuit, said, that the Act contemplated every "unlawful obstruction;" but the Judges declared "that any obstruction was unlawful." Such was the construction put by these learned persons on the statute; and that construction would, of course, be acted on by the field-officers in future. He repeated that this was a measure for the collection of tithes, and would be so construed and acted on in Ireland. The Courts-martial would be useless if it were not so. It would be a dead letter unless the power contemplated by the Act referred to were admitted; and, if it were allowed, he feared it would lead to the shedding of much blood.

The Chairman recalled the attention of the Committee to the question before it, which was, that the fourth clause, as he had already read it, should stand part of the Bill.

Sir *Richard Keane* would move as an amendment, to insert the words in the first part of the clause to the effect, that in all cases where it was deemed necessary to apply for the proclamation of any county of a city or county of a town, the Lord-lieutenant of the county and at least six Magistrates, should certify that the insubordination of the district called for the putting in force the provisions of the Act.

Lord *Althorp* said, this proposition, if agreed to, would only have the effect of dividing the responsibility, which he wished to remain as it was originally settled by the Bill.

Mr. *O'Connell* agreed with the noble Lord, and added, looking to the way in which the Magistracy of Ireland was constituted, that the proposition was calculated to make the Bill a great deal worse than it was.

Sir *Richard Keane* defended the conduct of the Magistracy of that part of the country which he represented. There were four of those Magistrates then about him; and he would say, speaking of them generally, that a body of men more anxious to do their duty never existed.

Mr. *James Grattan* was of opinion that some alteration in the clause was desirable. Whether that of the hon. member for Waterford was or was not the best to be adopted he would not say. He thought, however, that the Lord-lieutenant ought not to act until full and sufficient information was laid before him. The county might, for instance, be called together, and from such a meeting a call on the Lord-lieutenant, if it were necessary, might emanate.

Mr. *Barron* thought it would be advisable that the opinion of the Lord-lieutenant of any county should be taken before it was proclaimed. Having been personally alluded to on a former occasion, he must say, that he had procured an application to have an additional stipendiary Magistrate and the refusal to appoint one, reached him on the same day as the account of the murder of Mr. Leonard. He would never admit that the existing laws were not sufficient to punish crime, if they were promptly administered. In the case of the recent murder of Mr. Leonard, no less than thirty individuals were apprehended, and were now in gaol, charged with that offence. Was there, then, any deficiency, either with reference to witnesses or to Jurors? He was convinced that there was not. In the case to which he had just alluded, 500 men went out voluntarily as constables, and apprehended those men without the assistance of the police.

Mr. *James Grattan* again expressed his conviction that it would be necessary, before the Lord-lieutenant proclaimed a county, that the necessity of such a step should be clearly demonstrated to him. A district should not be proclaimed on the mere will or caprice of the Lord-lieutenant.

Amendment withdrawn.

Mr. *Sheil* demanded what necessity existed for extending this measure to any county of a city, or county of a town, in Ireland? Was it necessary with reference to Dublin, to Cork, to Kilkenny, to Londonderry? Why extend it to parts of Ireland where the most perfect tranquillity prevailed?

Mr. *William Roche* was of opinion, that it would be advisable to convene the county at large, and to take the sense of those assembled, before the Lord-lieutenant proclaimed it to be in a disturbed state.

Mr. *Stanley* could see no reason, if the country at large were disturbed, and if there was an agricultural district of many miles square in the centre of the country, for excepting it from the operation of the Act merely because that central district happened to be under city jurisdiction.

Mr. *Finn* would quote the case of the city of Kilkenny, which remained perfectly tranquil at a time when the county was disturbed, and had been proclaimed by the Marquess Wellesley; the county of the city, however, remaining unproclaimed.

Mr. *Stanley* thanked the hon. Gentleman for reminding him and the House, that it was the Marquess of Wellesley, and not the Legislature, which exempted the district in question from the operation of the Act. Might not the Marquess of Anglesey act in the same manner as the Marquess of Wellesley? The Legislature had left it in that case to the discretion of the Lord Lieutenant, and why not in this?

Mr. *O'Connell* said, it did not follow because one Lord Lieutenant was considerate and humane, that another would be. It was for the Legislature to prescribe, and not to trust.

Mr. *Henry Grattan* protested against the clause, as establishing a perpetual dictator in Ireland. It was a premium for agitation. It gave the dictator power to proclaim any district, and it would enable agitators to procure any district to be proclaimed, and would thus give such agitators a power over every individual in it. As they had brought in such a Bill, why did they not define the powers it conferred? They ought not to give such latitude to any man, whether he were a Lord-lieutenant or Secretary, as was conferred by the fourth clause. The Secretary or the law officers might easily find cause, in what they called the demoralization of the people, for proclaiming any district, whether there were any real disturbance in it or not. Had the right hon. Gentleman forgot Nobber? After passing this clause, it would be better for the Irish Gentlemen to vacate their seats and go home. The Government knew nothing of the state of Ireland; and he knew the right hon. Secretary too well to be deluded or deceived by him. He was sure that the whole Bill, and the whole conduct of the Government betrayed the grossest ignorance as to the state of Ireland. If the right hon. Secretary had applied himself to the business of his office, he might have put down disturbance. Yes, if he had done his duty, there might have been an end to outrage. But he knew what the right hon. Secretary was about: he was sending his lancers and his dragoons to collect tithe-pigs and tithe-pence, and he knew nothing of the disturbances till they had got to a great height. There never was an individual went to Ireland with such powers to do good as the right hon. Secretary, and there never was an individual who had done so little good. The right hon. Secretary now found that every one of his measures was a complete failure; he found that his Tithe Bill could not be enforced; that it was good for nothing; and he called upon that House to suspend the liberties of Ireland, and place that country under a perpetual dictatorship. If they would try Ireland once more—if they would spare her this additional curse, and withdraw the right hon. Secretary and his Bill for the forcible collection of tithes, the disturbances would cease, and peace and tranquillity would be restored to the country. He conjured them to pause—to suspend this clause till after the other clauses were gone through, when some form of words might be found which would render it more definite and less obnoxious. The right hon. Secretary had declared, that he had the best intentions towards Ireland; he believed the right hon. Secretary; but, with those best intentions, he was, unfortunately, always doing wrong. Let them suspend the clause, like the sword of Damocles, over the head of the Bill till the end, when some hon. Member, more prudent than himself, for he was not capable of it, might suggest to the right hon. Secretary how it might be made less mischievous than at present.

Colonel *Perceval* objected to making any distinction between the jurisdiction of counties of cities and other districts, and supported the clause.

Mr. *O'Connell* would, at the proper time, move to exempt the jurisdiction of the county of the city of Dublin from the operation of this clause.

Mr. *David Roche* would take the same course as to Limerick.

Mr. *Lynch* would move a similar Amendment as to Galway.

Mr. *O'Dwyer* contended, that the power given by this clause was of itself calculated to throw the whole country into confusion, and to create general disturbance. Why should malignant Magistrates, or perverse Lord-lieutenants, have a power given them to work mischief at their pleasure.

Mr. *Baldwin* would seriously ask the Government if it meant to extend this clause to the cities of Dublin, Cork, Limerick, and other towns? Would the Government prevent the inhabitants of such cities from going about their business, and compel them to remain at home after dark? Why, it would prevent them from transacting their ordinary affairs. If any man were to plan a measure to restrain liberty, destroy the interests of industry, and ruin the property and revenue of a country, he could not plan a more effectual measure than this, if it were to be extended to cities.

Mr. *Lalor* referred to six cases which had happened in the Queen's County, in which men had been distrained on for tithes who did not hold one acre of land each. He knew that personally; and yet the right hon. Secretary had said, that nobody had been distrained on for tithes except such as were well able to pay. The assertions of the right hon. Secretary showed that he knew very little about Ireland, and very little of what was done there in his name, and, as it was said, by his orders.

Mr. *Lambert* rose to move an Amendment to the end of the clause. He had given his assent to the second reading of the Bill because of the outrages and agitation which existed, and which must be put an end to. He had seen nothing lately to make him form a different opinion. On the contrary, he had lately read a letter from one of the agitators, which had been published in a journal in the county with which he was connected, which called on the people of Wexford to wreak their vengeance on his hon. colleague and his children for the vote he had given in that House. He must still support the Bill; but he hoped it would be so modified as only to suppress outrage and put down the system of agitation. If it were so modified, he should give it his support on the third reading. As the Bill now stood, it was difficult not to conceive it to apply to the collection of tithes. He knew that, in many instances, tithes had been levied with kindness and with forbearance; but there were other instances, and he had seen some, in which they were levied with the utmost severity. The Bill of 1832, which had transferred the rights of the tithe owners and the odium of collecting tithes to the Government—the Bill for forcibly collecting tithes of last Session had, as was foretold at the time, signally failed, though Government had used all its means and exerted all its powers in endeavouring to enforce it. The police, though contrary to the Act creating that force, had been employed to collect tithes, or, at least, to protect those who were employed in collecting and valuing tithes. The Army, too, had been brought out for the same purpose, and that, he must say, was a most perilous experiment. In one case, when the soldiers had been employed to enforce the collection of tithes from a poor man's potato-field, they had been unwilling to perform the duty; and the sergeant of the party at length exclaimed, "Comrades! we won't bear this any longer; let us club among ourselves and buy the tithe off, rather than enforce the payment." The Bill had increased the danger of the country, and had greatly extended the disappointment of the people. The consequences had been most injurious to the general peace and tranquillity. He had in his possession a petition which described these effects, and which said, that there were many persons who were but too willing to profit by the discontent of the people. There were some clergymen, also, who were not averse from profiting by this compulsory Tithe Bill to create disturbance. The poverty and distress of the people made them the ready victims of those who liked agitation. The Bill, during the short time it had been acted on, had driven thousands of peaceable men from their homes and into exile; and made men guilty of outrage, who, if allowed to remain in quietness cultivating their own fields, would have been loyal and peaceable subjects. For a time the operation of the Act had been suspended —the war had been stayed—but the campaign had been again begun.

> "The war which for a space did fail,
> Now, trebly thundering, swells the gale,
> And 'Stanley' is the cry!"

The right hon. Gentleman was heir to a great name—noble blood flowed in his veins—and he hoped that the generous, the chivalrous feelings which belonged to high birth and noble descent, would induce the right hon. Gentleman to listen to the appeal which he made. He hoped, that the right hon. Gentleman would willingly consent to what he asked in the name of his unfortunate country. He hoped, that the concession would be given freely, and not as if it were extorted by menace. He hoped, that if it were freely given, it would gratify the people. He believed, that the Amendment he meant to propose would tranquillize the country. It would not, indeed, render the measure palatable to the people; it was not palatable to himself, except as it was absolutely necessary to suppress agitation and outrage. He had received letters from several persons in the county he represented, who stated, that some measure of this kind was most necessary. Many other persons were of the same way of thinking, who did not dare to avow their sentiments. At the same time they wished for some modification of the Bill; and, above all, they wished that it should not be applied to enforce the collection of tithes. He wished that the Bill should bear that upon its face—he wished that the promise already given by the noble Lord (Lord Althorp) should form part of the Bill; and it was to carry that promise into effect that he would propose his

Amendment. The hon. Member concluded by proposing to add to the end of the clause a proviso to the effect—" Provided always, and be it enacted, that it shall not be lawful for the Lord-lieutenant, or any Chief Governor or Governors of Ireland to apply the provisions of this Act to any county or district merely because the tithes are not paid in that county or district; nor shall this Act be at any time applied, in any manner whatever, to the levying of tithes, or to enforce the payment thereof."

Mr. *Warburton* supported the proviso, and observed, that after the promise made by the noble Lord (Lord Althorp) on a former night, to the effect that this Act was not to be applied to the levying or enforcing the payment of tithes, he could not conceive what objection could by any possibility be offered by the noble Lord or his colleagues to the present Motion. If, however, such a proviso were rejected, and the Bill were to be allowed to apply to the 11th section of the Act of the 27th George 3rd, the present could only be called "an Act for the collection of Tithes." The 11th section of the 27th George 3rd, provided that "if any person or persons should by force or threats, or other unlawful means, prevent any clergyman or lay impropriator, or any person employed by such clergyman or lay impropriator, from viewing, valuing, setting, or selling any tithes to which said clergyman or lay impropriator was lawfully entitled, then that such person or persons should be held to be guilty of a misdemeanor, and liable to punishment by fine or imprisonment." Now, there was one species of offence which it might be contended that the provisions of the Bill could be fairly and legitimately applied to redress—he meant personal acts of violence towards clergymen, firing their houses, &c.; for such offences persons might be punished under this Act; but let it not be applied to any case that could be met by civil process. If an Amendment were not introduced which drew a distinction between crimes of violence and an opposition to tithes unaccompanied by such offences, the mere presence of a party at a tithe sale with a view to discountenance the tithe system might be brought under the 27th George 3rd. He considered the noble Lord as being bound in honour, after what he had said on a former evening, to put some limitation on the enforcement of the powers of the law as enjoined by the 17th clause of this Bill, which directly referred to the 27th George 3rd, chap. 15. If the noble Lord refused to make such limitation, he, for one, should consider it a direct breach of promise on the part of the noble Lord.

Lord *Althorp* said, that to the whole of the first part of the Amendment of the hon. member for the county of Wexford, he did not entertain the slightest objection; he alluded to that part of the proviso which enacted that it should not be lawful for the Lord Lieutenant of Ireland to apply the powers conferred by this Act to any county or district merely in consequence of non-payment of tithes. With respect to the other part of the hon. Member's Amendment, the doubt, he felt, was as to the misinterpretation it might be liable to. He thought that that part of the Amendment of his hon. friend would be liable to be so interpreted as to do away entirely with the 11th clause of the 27th George 3rd. He did not agree with his hon. friend opposite in the construction which he put upon that clause. It appeared to him that it only applied to anything done in the way of forcible resistance or obstruction to the collection or valuation of tithes, and it surely would not be denied, if violence was offered to a person in the performance of a legal Act which he had a right to do, and a forcible obstruction was raised against him, that he should be protected against the effects of violence and outrage. That was the object of the 11th clause of the 27th George 3rd. It referred to a forcible obstruction in the execution of legal rights, and it did not refer to any measures against the payment of tithes, for which a remedy could be obtained by civil bill process. He was ready to say, as he had said before, that if, by any possibility, the Bill could be applied, in the plain common sense of the words, to the enforcement of the collection of tithes, he would be most ready to agree to any provision that would prevent its being so employed. But the Amendment proposed by the hon. Gentleman was entirely unnecessary, for it was intended by Government, as he (Lord Althorp) had already stated, to propose a plan to the House which would render it quite impossible that this Bill could be applied to the collecting of tithes. The plan which would be proposed by Government would be one whereby the arrears of tithes would be got rid of, the only thing to which this Bill, during the time that it was likely to last, could by possibility be applied. He felt this objection to the Amendment proposed by his hon. friend, that the effecting of it would be to do away with all offences resulting from resistance and combination, by force and violence to the collection of tithes—those offences to which the 11th clause of the 27th George 3rd, solely applied—and he was sure that the Committee would agree with him in feeling that it would be, therefore, a dangerous alteration to introduce into the Bill. He had asked his hon. friend, in a private conversation on this subject, whether he could adduce any case where, under this 11th clause of the 27th George 3rd, any individual had been committed for a misdemeanor for refusing the payment of tithes. His hon. friend acknowledged that he was not able to bring forward such a case, but he said, that it was impossible to know what interpretation the Judges of the land might yet put upon this Act of Parliament. Now, when, after the lapse of forty-six years, his hon. friend was unable to point out an instance in which that clause had been applied so as to make it a misdemeanor to refuse the payment of tithes, where that refusal was not accompanied by the fact of the individual in question being engaged in an unlawful conspiracy and combination to resist that payment generally, surely the House might assume that it would not and could not be so applied in future. He was sure that the Committee would agree with him that the measure should be applied to prevent illegal combinations against every species of property, and it was not intended, he repeated, to be applied to the levying of tithes, but it was to be applied to any violence and outrage which might be offered in resisting the levying of tithes. It was proper that the Bill should apply to every description of outrages in any disturbed district whenever it was placed under the operation of the Bill. He begged distinctly to state, that he should have no objection to the Amendment if it merely went to this extent, and was so understood as to prevent the Lord-lieutenant from applying the Bill to any district because tithes were not paid in it; but from fear of the misconstruction and misinterpretation which the introduction of such an amendment as that proposed by the hon. Gentleman into the Act might occasion, he felt it his duty to object to it, for it was obvious that one effect of such an Amendment might be, that riots and misdemeanors committed in opposing and resisting the enforcement of the payment of tithes might be considered as excepted from the operation of this Bill. The object of the Bill was to regard all outrages against property in the same light, and to punish them accordingly. He did not feel any objection, as he had already said, to the first part of his hon. friend's Amendment; but upon the grounds which he had mentioned, he should object to the second portion of it.

Mr. *O'Connell* said, that it appeared that the noble Lord would not object to the first part of the Amendment, because the first part of it, without the second, would be totally inoperative. He certainly had not known a case where a mere refusal to pay tithes was made a punishable offence under the 27th George 3rd; but suppose a case to occur where a refusal o pay had been given—where a distress had been in consequence issued, and where the answer to the bailiff who came to execute it was, "You shall not take my cow,"—would not the refusal in that case to pay tithes be construed under this Act to be a misdemeanor? He contended that it was absurd to say that this Act would not be applied to the levying of tithes, when they would leave the 27th of George 3rd to be interpreted by such learned sages as the members of a Court-martial.

Mr. *Lefroy* observed, that no civil remedy was in any respect afforded by the 27th of George 3rd. It was merely intended to apply to criminal offences and outrages against property; and that being the case, he would beg to know whether, as long as tithes existed, their possessors should not enjoy the protection of the law, as well as other individuals. Were the clergy to be outlawed, and was their property to be left exposed to violence and outrage? The effect of the introduction of such a saving clause into the Bill would be to encourage the peasantry of Ireland to resist the payment of tithes by illegal combinations and acts of violence and outrage. They were all aware that an unfortunate misinterpretation had been already put by the people in Ireland upon the words "extinction of tithes" which had been employed in that House, and he would therefore implore the noble Lord to resist the introduction of a proviso that was liable to similar misconstruction.

Mr. *Cutlar Fergusson* said, it would perhaps be better to postpone the consideration of such an Amendment as that now before the Committee until they had come to the Court-martial clause. It should be remembered that the 27th George 3rd gave, amongst other things, the power of punishing for any conspiracy to defraud the clergy of their tithes. Now, it did appear to him that the members of a Court-martial should not be constituted Judges to try what was a conspiracy to defraud the clergy.

Mr. *Warburton* would put this simple question to the noble Lord. Would not an agreement to purchase in the lots at a distress sale for tithes be construed and interpreted by the law authorities in Ireland into a conspiracy against the payment of tithes? If that was the case, what became of the allegation of the noble Lord that this Bill would not be applied to the collection of tithes? The fact was, that all Ireland was in a conspiracy to resist the payment of tithes, and if any Irishman should do anything to defraud a clergyman of his tithes, it might be construed into a conspiracy, and might bring him within the provisions of this Act. There should be an express provision, expunging from this Bill the operation of the 11th clause of the 27th George 3rd.

Mr. *Finch* said, that he perfectly concurred in the distinction which had been drawn by the noble Lord (Lord Althorp). The Bill should not be made use of for the purpose of enforcing the collection of tithes; but then the possessors of tithes should be protected like other individuals, and their lives and properties should be secure against violence and outrage. It would seem from the discussions upon that, as upon former evenings, that though tithes were protected by the law, they were to be considered as contrary to equity and justice. It would seem, from the statement of the hon. member for Wexford, as if the opposition to tithes in Ireland had arisen from the distresses of the poor; but if the hon. Member would refer to the evidence given before a Committee of that House, he would see that Dr. Doyle boasted that he was the first person in Ireland to raise an opposition there to the payment of tithes.

Mr. *Pryme* said, that if the clergy were specially excepted from this Act, they would still have all the power which the law afforded them to enforce the payment of their property, and to put down offences against it. They were all aware what different opinions existed, even amongst the best lawyers, as to the interpretation of what was a conspiracy, and yet they were about to commit its interpretation to the Members of a Court-martial. The Committee should either adopt the Amendment proposed by the hon. member for Wexford, or they should omit expressly from the Act the 11th clause of the 27th George 3rd, which would leave the clergy in as good a situation as the landlords, or any other possessors of property, were at present.

Mr. *Shaw* said, there had been much useless discussion about 27th George 3rd, for independently of it a conspiracy to defraud was a common law misdemeanor—although to omit allusion to it in the 17th clause of the present Act would be to point out the clergy as a proscribed class. He (Mr. Shaw) protested altogether against the Amendment of the hon. member for Wexford, as to inserting in that clause that the Lord-lieutenant could not proclaim a district merely because tithe was not paid—it would be a downright absurdity in legislation, when the preceding words stated that nothing but outrage and insubordination could justify him in proclaiming it; but then it would be more than absurd—for it would serve to cast an insult on the clergy, and to point out their property as less deserving of protection in case of outrage than that of any other portion of the community. The hon. member for Bridport (Mr. Warburton) indeed would, in his tender mercy, allow the lives of the clergy to be protected, provided they would remain in their houses—but was not this a cruel mockery of the sufferings of men to whom on an average nearly three years' income was due, and who, for aught that hon. Member cared, might stay within, the bare walls of their houses, and die there of starvation? He would read one passage from the sworn evidence of Captain Vignolles, given within the last few days before a Coroner's Inquest, to prove the species of attack the clergy would be subject to in the exercise of their legal and just rights, if not protected by the law. Captain Vignolles swore that the most violent assault was made upon the persons engaged in the distress—and when he requested the infuriated people to desist, their answer was—"they had O'Connell's orders; that they had driven better men than ever he and his police were out of the country, and they would drive them too." He asked no favour for the clergy under that Bill, but he demanded their right for them, namely, equal advantage and protection from the laws with every other class of his Majesty's subjects; and he would divide the Committee before he would suffer any words to be introduced into the clause, either casting a slur on that most injured body, or pointing by inference at their property as the legitimate subject of spoliation.

Mr. *Stanley* said, that however, the hon. Gentleman who had proposed this Amendment and himself might differ as to the details of the Bill, they were agreed as to the one great object—namely, the necessity of giving security to property, and restoring the peace of the country; and he was sure that the hon. Gentleman would do him (Mr. Stanley) and his colleagues the justice to believe that they were as equally anxious as he was, though perhaps they proposed to travel by somewhat different ways, to arrive at the same result. He should have wished that the hon. Member had postponed the introduction of this Amendment until they came to the consideration of the Court-martial clause, as had been suggested by his hon. friend the member for Kirkcudbright, for the discussion of this Amendment involved the question, merely whether certain offences should be tried by one tribunal or by another. However, as the question had come under discussion, it was proper that the Committee should at once come to an understanding upon it. He entirely agreed with his noble friend beside him, that it was by no means the intention or the wish of the Government to apply this Act to enforce the levying of tithes, any more than the levying of rents. He felt, at the same time, that it was of the utmost importance that the Act should make no distinction between criminal offences committed against the rights of the clergy, and those committed against the rights of the laity. The 27th George 3rd seemed to be pointed entirely against a particular description of offences, and the 11th clause of that Act was more especially framed against two species of offences—the one a general conspiracy or combination, and the other a forcible resistance to legal rights, coming under the class of violence and outrage, accompanied with conspiracy. Now, one object of the present Bill was to give the protection which the 27th of George 3rd gave to the rights of clergymen against violence and threats; and he would wish to introduce words to show that the enactment was not directed against offences which did not come fairly under the class of violence and outrage. If the hon. member for Wexford would be satisfied with that, probably he would now consent to withdraw his Amendment, or at all events if he would but consent to postpone it he, would, when they came to the 17th clause, propose the introduction of the proviso which he had mentioned, and which he had just drawn up, for the purpose of reading to the Committee. He thought that that was dealing fairly with the Committee, and with the hon. Gentleman; and he was sure that the hon. Gentleman would himself see, that the proviso which he proposed to introduce would do away with the necessity of his Amendment. He wished to give the same protection to clerical as to lay property; and while he desired by this Act to afford the clergy no assistance in the enforcement of their civil rights, he was anxious to protect them against violence and threats, the more especially as he believed that their property was more subject than that of any others to such attacks at the present moment. The following was the provision which he had drawn up, to be inserted at the end of the 17th clause, and he hoped that it would satisfy the hon. member for Wexford, and induce him to withdraw his Amendment—"Provided always that nothing hereinafter contained shall authorize or enable any such Court-martial to try any persons charged under the aforesaid Act with any conspiracy or combination unaccompanied by violence or threats."

Mr. *James Grattan* hoped that both Amendments would be withdrawn, for they would be perfectly useless. He was ready to believe that Ministers did not intend to apply this Bill to enforce the collection of the tithes; but it was impossible that it could be otherwise employed. The very disturbances which it was to repress—the disturbances in Kilkenny and Carlow, and other counties—had arisen out of the tithe system. He agreed with the hon. member for Kirkcudbright that the interpretation and administration of the law in reference to the combinations against tithes should be excluded from the jurisdiction of the Courts-martial.

Mr. *Sheil* asked what the hon. member for Wexford could expect by acceding to the proposal made to him by the right hon. Secretary? He could assure the hon. member for Wexford, that he was about to enter into a compact in which the right hon. Secretary would not be found to agree. It was urged that there ought to be a specific clause on the subject, and the noble Lord the Chancellor of the Exchequer seemed desirous to put the question out of doubt.

Mr. *Stanley* thought the hon. and learned Member ought to take care, and be a little more correct in his allusions to what had taken place. What his noble friend near him had stated was, that he had no objection to that part of the amendment which went to prevent the introduction of this Bill by the Lord Lieutenant into any county, merely because of tithes not being paid; but he objected to the latter part of the Amendment, which bore a different construction.

Mr. *Sheil* said, the right hon. Secretary had explained for the noble Lord the Chancellor of the Exchequer.

Lord *Althorp* repeated that his only objection was to the latter part of the Amendment, which said, "nor shall it be lawful for the Lord Lieutenant, or other Governor, to enforce the provisions of this Bill for the payment or collection of tithes."

Mr. *Sheil* was right in the construction he had put upon what had fallen from the noble Lord the Chancellor of the Exchequer. The noble Lord was willing to agree to one-half the Amendment, which would, in fact, render it of no use at all. The noble Lord would agree to that half of it which by itself would be altogether inept. He would submit to the hon. Member opposite, and to the House, that the Amendment proposed by the right hon. Secretary was by no means conclusive upon the subject. The 11th section of the 27th of George 3rd, would not be excluded from operation by the adoption of a clause to that effect. The present Ministers had acted differently from all the previous introducers of Insurrection Acts. On former occasions it was usual, in passing such an Act, to embody in it all such clauses of previous acts as were meant to be preserved. But the present Ministry had pursued a different course. They said no; all the power of the 27th of George 3rd, must be preserved and given to this Bill. He would call upon the hon. member for Wexford not to be led astray by the recommendations of his Majesty's Ministers. He would caution him not to give way, unless the powers of the 27th of George 3rd, were to be altogether removed from this Bill. The hon. Member for Wexford had spoken three or four times upon this Bill, and all who knew him knew that he was most competent to do so. But on the previous occasions of his speaking upon it, he had been received with acclamation by Ministers, because he happened to be on their side of the question. Did they cheer him now that he was opposed to them? Was it only when he agreed with them that they extended to him the meed of their applause and approbation?

Mr. *Perrin* said, he felt reluctantly compelled to support the amendment proposed by his hon. friend the member for Wexford, whose only object, he was sure, was to have the sentiments expressed by the noble Lord (the Chancellor of the Exchequer) embodied in the Bill. He was quite sure, and all who knew his hon. friend must feel satisfied, that his hon. friend the member for Wexford, never countenanced or supported violence or outrage. His hon. and learned friend, one of the Representatives for the University of Dublin, had objected to that part of the Amendment which spoke of the resistance to the collection of tithes by force and violence as tending to throw a slur upon the Clergy; but he could assure the hon. and learned Member that his hon. friend near him had no such intention.

Mr. *Lambert* wished only to say, that he was by no means anxious to put himself forward in making unnecessary alterations in the Bill; and in what he did propose he was actuated by the best intentions.

Lord *Althorp* said, that he had no objection to the first part of the Amendment, but he trusted that his hon. friend would allow the second part to stand over till they came to the 17th clause of the Bill.

Mr. *Warburton* said, that there seemed to be a mistake about the 27th of George 3rd. That Act comprehended both confederacies and the combinations respecting tithes, and he did not think that the proposition of the right hon. Gentleman would meet the objections which had been made to the present clause.

The Question was put on the first part of the hon. member for Wexford's amendment, and the Gallery was cleared.

During the exclusion of strangers, the following debate took place.

Mr. *Shaw* proposed to the right hon. Gentleman the Secretary for Ireland, to move the substance of the Amendment that he should move at the end of the 17th clause, comprehending all civil processes, without specifying tithe.

Sir *Robert Peel* called the attention of the Committee to the words of the clause then under consideration; which required a " district to be in a state of disturbance and insubordination" before the Lord Lieutenant could apply to it the provisions of the Act; and then called upon the Committee to say whether it was not a manifest absurdity to add to that clause that the Lord Lieutenant should not proclaim the district merely because tithe was not paid within it. Did it mean that if cess or rent or any other payment was withheld, except that of tithe, that the Lord Lieutenant was to proclaim the district? The right hon. Baronet called upon the Solicitor General to say whether such would not be the natural inference, and whether such an amendment was not ridiculous and absurd.

The *Solicitor General* certainly considered the Lord Lieutenant could not proclaim a district as the clause originally stood, merely because tithe was not paid, and that the Amendment would certainly encumber the clause, and might give rise to the inference suggested by the right hon. Baronet. Undoubtedly, in his opinion, the clause would stand much better without the Amendment.

Mr. *Wynn* urged upon his Majesty's Ministers the absurdity of dividing in favour of a clause which the Solicitor General declared would be injurious to the Bill.

Mr. *Shaw* called upon the right hon. Secretary (Mr. Stanley) to state his views of the effect of the Amendment, as he (Mr. Stanley) had himself submitted to the Committee an amendment, which he (Mr. Shaw) understood was to be substituted for that now put from the Chair.

Mr. *Stanley* said, that certainly his opinion was, that the clause would be better without the Amendment, and that the Government agreed to it merely in deference to the opinion of one hon. Gentleman.

The Committee divided on Mr. Lambert's Amendment: Ayes 284; Noes 81—Majority 203.

On the Question that the clause as amended stand part of the Bill.

Mr. *O'Connell* expressed an earnest wish, that such an addition should be made to the clause as would give the public the means of ascertaining whether it was wise or expedient that any district proclaimed under the Act should be brought within its operation. He wished that it should be imperative upon the Lord Lieutenant to give public notice in the newspapers on the subject; and further, that the Lord Lieutenant should, with respect to any proclaimed district, be bound to lay before Parliament, if sitting, an account of all felonies within two or three months, at the selection of the Government, committed within such district. To effect this object he moved as a proviso that the Lord Lieutenant be required to lay before Parliament, or to publish in *The Dublin Gazette* if Parliament be not sitting at the time, an account of all felonies and crimes committed within any proclaimed district.

Lord *Althorp* objected to the Amendment, because he thought it both invidious and unnecessary—invidious, because it proceeded upon the suspicion that the Lord Lieutenant would improperly exercise the powers intrusted to him by the Bill; and unnecessary, because it would be in the power of any Gentleman, if he thought fit, to move for the production of such a return as the hon. and learned Member described.

Sir *Robert Peel* observed, that if the hon. and learned Gentleman had drawn this Amendment after the last part of the last clause had been agreed to, he would probably have added a sentence, calling on the Lord Lieutenant to declare that he had not proclaimed a county for non-payment or refusal of payment of rent, county cess, or parochial rates. This was rendered necessary by the construction of the last clause, which declared that the Lord Lieutenant should not proclaim a county "merely for non-payment of tithes." As he was not to make proclamation for such a reason "merely," it followed of course by implication that he might do so for other causes. The hon. and learned Gentleman must certainly mean to impose on the Lord Lieutenant the same restriction with regard to rent and county cess as that now imposed on him with regard to tithes, and the Amendment should be altered accordingly.

Mr. *O'Connell* said, that if he were in the vein for pleasantry, he should certainly adopt the suggestion of the right hon. Gentleman, but he was not—the matter was too serious for him. He had certainly voted for the last amendment, which he must admit was as nonsensical as any he had ever supported. His fear was, that the "tithe non-payment" exemption would be got over by some other pretext being alleged as to the ground of proclamation. It was to guard against such a pretence that he had moved, and would persist in, his Amendment.

The Committee divided on the Amendment; Ayes 77; Noes 235—Majority 158.

Mr. O'Dwyer moved the following Amendment to the Clause—: "Provided always that nothing in this Act shall be taken to empower the Lord Lieutenant, or any other authority, to declare the county of the city of Dublin in a state of disturbance or insubordination, or to require the application of the provisions of this Act."—The Committee again divided: Ayes 36; Noes 251—Majority 215.

Clause agreed to and ordered to stand part of the Bill.

The fifth Clause, declaring that "The Lord Lieutenant's proclamation shall warn the inhabitants to abstain from seditious and other unlawful assemblies, and to continue in their houses between sunset and sunrise," was agreed to.

The sixth Clause which enacts "That every county, county of a city, county of a town, or part thereof respectively, so proclaimed, shall be considered to all intents and purposes as a proclaimed district within this Act, from the day on which such proclamation shall be published within such proclaimed district, by affixing a copy thereof on some public place within the same district," was read.

Mr. *Barron* thought that there was not sufficient time given by this clause to the inhabitants of a proclaimed district to know that it was proclaimed. Two days, at least, ought to be allowed for that purpose.

Mr. *Stanley* said, that he had no objection to insert after the words "from the day" the words "after that;" so that the district would not be considered as a proclaimed district till the second day after that proclamation was issued.

The Amendment agreed to.

Mr. *O'Connell* was not satisfied with this Amendment, for he recollected, that the county of Cork was one district, and its opposite extremes were 150 miles apart from each other. Again, the county of Tipperary was very extensive; and yet, by this clause, a proclamation made at Carrick-upon-Suir was to be considered as a sufficient notice to the people at Senagh, eighty miles distant, that the county was proclaimed. He contended that the proclamation should be posted upon the doors of every Protestant Church and Catholic Chapel within the district. Anything so monstrous as this clause was never yet fabricated.

The *Solicitor General* was of opinion that the notice given in this clause was sufficient. When a fact so important as the proclamation of a disturbed district took place in one part of the county, would it not be communicated with all the speed of horses to every other part of the county?

Mr. *Stanley* said, that he should have no objection to alter the last paragraph of this clause in the following manner—"by affixing a copy thereof on some public place, in each barony, within the same district."

An *Hon. Member* proposed that a copy should be affixed on each police station in each barony.

Mr. *Stanley* objected to this alteration as it would increase the difficulty of obtaining a conviction. In some baronies there were nine or ten police stations, and unless it could be proved, that copies had been affixed on the whole number of police stations no conviction could be had under the Act.

Mr. *O'Connell* said, that that difficulty might be obviated by employing one police officer to affix all the different copies to the different police stations.

Mr. *Shaw* said, that the last amendment proposed by the right hon. Secretary would render the clause inoperative in many places. He knew of many counties of towns in which there was not a single barony.

Mr. Stanley's Amendment was agreed to, and the Clause as amended directed to stand part of the Bill.

The seventh Clause was read which

enacts, that "when any such proclamation shall have been issued, all justices, constables, peace-officers, and others to whom the execution of the process of law may properly belong, and also all commissioned officers commanding his Majesty's forces in Ireland, or any part thereof, and such other persons as such Lord Lieutenant or other chief Governor or Governors of Ireland shall think fit to authorize in that behalf, shall, and each of them is hereby required and enjoined to take the most vigorous and effectual measures for suppressing insurrectionary and other disturbances and outrages in any part of Ireland which may be specified in such proclamation respectively, and to search for, arrest, and detain for trial under this Act, every person who shall be charged with any offence which by the provisions of this Act may be cognizable by or before any court hereinafter empowered and authorized to try such offence."

Mr. *Stanley* proposed to omit the words "and such other persons as such Lord Lieutenant, or other chief Governor, or Governors, of Ireland, shall think fit to authorize in that behalf." The intention of Government was, to limit the power given by this clause to a particular class of public officers, and not to give to the Lord Lieutenant the power of appointing any persons to execute the Act, save those specifically named here.

Mr. *O'Connell* thought that, besides the words proposed by the right hon. Secretary to be omitted, the words "and also all commissioned officers commanding his Majesty's forces in Ireland, or any part thereof," should be erased from the clause. The words which he wished to strike out were not strict enough to exclude officers in yeomanry corps. The clause, as it now stood, included yeomanry officers, and those persons were authorized "to search for, arrest, and detain for trial, under this Act, every person who shall be charged with any offence under it."

An *Hon. Member* said, that the hon. and learned member for Dublin's objection might be got rid of by letting the clause run—"officers commanding his Majesty's forces of the line in Ireland."

Mr. *O'Connell* objected to giving this power to military officers at all. He thought that no man should have power "to search for, arrest, and detain for trial" any person "who should be charged with any offence" under this Act, unless he was a magistrate, or a person acting under the warrant of a magistrate. He wanted to exclude military officers altogether from the clause; for he objected to give any man who, within twenty-four hours afterwards, might, in the ordinary course of his duty, be on his voyage to the most remote settlement in India, the tremendous power of arresting and detaining another, it might be, upon his mere caprice. Against the justice, the constable, and the peace officer, if they grossly misconducted themselves, some redress might be obtained by the sufferer, as they were at home and on the spot; but how was redress to be obtained against an officer who might be thousands of leagues away from Ireland? He moved the omission of the words which he had already mentioned.

The *Solicitor General* was surprised that the hon. and learned Member should object to give that power to officers of the Army which he was not unwilling to trust to police officers and constables.

Mr. *O'Connell* was old enough to recollect the time when commissioned officers had the power to arrest in Ireland, and he was sorry to say, that they had used that power too often for the purpose of promoting the most immoral lust and debauchery. He was not sufficiently acquainted with the Army to know whether our officers had greatly improved in morality since that period. If they had not, this power ought not to be granted to them.

Mr. *Sheil* observed by this clause the same officer might first arrest a man upon a charge, and then try him for it afterwards. He was proceeding to condemn this arrangement, when he was interrupted by,

Mr. *Stanley*, who said, that a short explanation which he was about to make would obviate the objection of the hon. and learned member for Tipperary, and would render his further argument on this point at least unnecessary. In the Courts-martial clause it was the intention of Government, in compliance with the suggestions of some hon. Members, who thought that the Army ought not to be brought unnecessarily into collision with the people, to introduce an amendment incapacitating officers who were in military service in the proclaimed districts from sitting as members on a Court-martial for the trial of offenders. After the alteration should be made in that clause, enacting that no officer under the rank of Captain should sit on these Courts-martial, it was the intention of Government to add these words—"who shall within one month have been in regular military service within the district." It was also the intention of Government to send officers of high rank to serve on these Courts-martial. It might be right to add, that for the sake of giving them information, there would be added to them officers of rank who had served in Ireland.

Mr. *Sheil:* The explanation just made took away the objection which he had been about to urge, and showed the benefit of the protracted resistance which the Irish Members had made to this Bill. The Ministers were coming forward every hour with fresh mitigations and modifications of it, and he hoped to see it mitigated and modified much further than it was at present. The words of the clause were—"Every person who shall be charged with any offence." He thought they should be "who shall be charged on oath with any offence." He thought that all the executive part of this Bill should be performed by the police, and not by the soldiery. That was calculated to prevent the Army from being brought into collision with the people.

Mr. *Stanley* said, he had no objection to limit this power to officers of the line, as it was supposed the words would include yeomanry.

The Committee divided on the Amendment: Ayes 40; Noes 205:—Majority 165.

Mr. *O'Connell* said, as the clause was important, he hoped that the Chairman might then report progress.

Mr. *Divett* objected to the Committee reporting progress at so early an hour. The debate upon this question had commenced on the first reading—it had been followed up on the second reading—it had been continued in the Committee on every clause, to the interruption of all other business—and it ought not to be thus easily adjourned night after night. An effort should be made to make a positive progress with it. In justice to the country—in justice to the suffering people of Ireland—to the other great questions of public interest, on which the minds of the people were anxiously bent—this system of delay should be strenuously resisted. He must suggest, that if greater progress were not made, they could not, in justice to their constituents, claim the usual recess at Easter.

Mr. *O'Connell* said, the hon. member for Exeter had made a most unfounded attack on the opponents of the Bill. The first part of the opposition of that evening, which had occupied many hours, he had discountenanced as much as any man; and now when he and his countrymen, who were to suffer by that Bill—that Bill which even its supporters termed arbitrary despotic, and cruel—when they were battling to obtain some little modification of its harshness and its tyranny, they were to be reproached in this manner! It was cruel in the extreme to throw out these taunts. If the public time were unnecessarily occupied, who was to blame? Why, nobody but the Ministers who introduced such an atrocious measure. There were two great principles of the Bill—the right of search, and the power of arrest and detention without evidence and without oath—which he felt it his duty to combat to the utmost. They were powers of a monstrous character, and such as ought never to be heard of in that House.

Mr. *Divett* said, he had not made an unfounded accusation. He did not say that it was unnecessary to discuss the Bill, but that it was not right they should report progress at so early an hour. No one regretted the necessity for the Bill more than he did; but having once made up their minds to that necessity, and that the Bill ought to pass, he thought they should sit there till a later hour, that they might afford time hereafter for the other business of the country.

Sir *John Sebright*, though he did not wish to make any personal allusions, could not, however, help observing that the attention of the House from the commencement of the Session had been almost entirely engrossed by Irish questions. He would second the recommendation of the hon. Member who spoke last, which he advised Ministers to act upon with firmness. Not a day, he continued, passed without his receiving complaints from his constituents and others respecting the want of firmness shown by Ministers in yielding points of the kind then under consideration. By such weakness it was that the public time was wasted.

Lord *Althorp* said, that he was perfectly convinced that at that hour it was not fitting to order the Chairman to report progress. He should therefore resist the Motion.

Mr. *Philip Howard* said, that he had been in the House the whole of the evening and he must say, that to the best of his observation the hon. and learned member for Dublin had confined himself to the question before the House. He thought, however, it would be better to come to some compromise upon the present occasion. Perhaps the hon. Member, and those who acted with him, would consent to sit for half an hour longer. No good, he was sure, could result from prolonging a discussion which was carried on in such an angry spirit.

Mr. *Henry Grattan* said, that if the House sat at that hour to discuss that most important clause, it would be a sorry discussion indeed. There were many parts of the clause of a most extraordinary character, and would require the calmest and most serious deliberation.

The Committee went on discussing the seventh clause, which, with verbal amendments was agreed to, as was the eighth clause.

House resumed, Committee to sit again.

HOUSE OF LORDS,

Tuesday, March 19, 1833.

MINUTES.] Petitions presented. By the Duke of CUMBERLAND, from the Hundred of Guestling, Sussex, against the Beer Act.—By the Earl of RADNOR, from St. Clement's Danes, Westminster, for a Repeal of the House and Window Taxes.—By the Marquess of LANSDOWN, from the Retailers of Beer in Burnley, and its Vicinity, for a Revision of the Beer Act.—By the Earl of HARROWBY, the Earl of ESSEX, and the Archbishop of DUBLIN, from Edinburgh, Dublin, and a Number of other Places. —for the Better Observance of the Sabbath.—By the Duke of RICHMOND, Lord SUFFIELD, Earl FITZWILLIAM, and the Marquess of LANSDOWN, from Northampton, and other Places,—for the Abolition of Slavery.—By the Earl of RODEN, from Parishes in the Counties of Down and Meath, and the Congregation of the Chapel at D'Olier Street, Dublin,—against the Church Reform Bill (Ireland).

EMANCIPATION OF THE JEWS.] The Marquess of *Westminster* rose to present to their Lordships a Petition, of which he had previously given notice, most numerously and respectably signed by the inhabitants of the city of London, for the extension of civil rights to the Jews. He was aware that strong prejudices existed against the admission of the Jews to the privileges for which they sought; but those were prejudices which he was sure would give way before the enlightened spirit of the age, and the wise and liberal legislation which of late years had distinguished the British Parliament. The present petition was one of great importance; but as it might be expected that at no distant time a measure would come up to their Lordships from the other House, having for its object the accomplishing of that for which the petitioners prayed, he should for the present abstain from occupying much of their Lordships' time or attention. The petition which he then held in his hand was signed by no less than 1,500 persons, most of whom were of the highest respectability, though belonging to almost every profession and class of men in society—merchants, shopkeepers, lawyers, and clergymen. He conceived that this was a subject upon which the Legislature should immediately come to some final determination. It should either adopt the principle of admitting all classes of persons, whatever might be their religious opinions, to the free enjoyment of the benefits of the Constitution; or it should adopt the contrary principle, of excluding all classes of persons whatever, who were not members of the Established Church. He said, that one or other of these principles ought to be adopted. He was of opinion that all persons whatever ought to be admitted to a participation in civil rights, without regard to their religious opinions, be those what they might, with this single exception—that persons should not be admitted within the pale of the Constitution, whose admission would endanger the safety of the Constitution, or be likely to excite dissension and animosity among the people at large, or lead to the overthrow of the institutions of the State. He thought, since they had admitted Roman Catholics and Dissenters—but above all Socinians —to a participation in the Constitution, they ought to admit the Jews to all its privileges, especially when it was remembered that they had, at all times, conducted themselves with perfect loyalty towards the institutions of the country, and had rendered themselves uniformly remarkable for a peaceable and inoffensive demeanour. He wished also to call their Lordships' attention to the circumstance, that the Jews had been emancipated in Hanover, in Jamaica, in Canada, and in other British dependencies, without there ever having been the slightest reason to repent that such a concession had been made to them. The persecution which the Jews endured had been long enough; it had lasted 1,800 years; and it was time that such a persecution should be brought to a conclusion. Several charges he knew had been made against the Jews, but he thought they had been ably refuted. He was unwilling to trespass on their Lordships' time, but, as the subject had been mentioned in another place, he would read to their Lordships some part of that refutation. The noble Marquess accordingly read a long extract from a letter addressed to I. L. Goldsmid, the chairman of the association for obtaining for British Jews a participation in the civil rights and privileges of the British Constitution, by Hyman Hurwitz, professor of Hebrew in the University of London, stating that the whole of the arguments advanced by the adversaries of the Jews had been answered 1,700 years ago by Josephus, and were as erroneous now as they were then.

The Bishop of *London* said, that the present was not the proper time for entering into a discussion of the general question to which the noble Marquess had called the attention of the House; but he trusted their Lordships would permit him to say thus much, that the argument founded upon the repeal of the Test and Corporation Act, and on the admission of the Roman Catholics to political power, was one which did not apply to the subject now before the House. True it was, that when the Test and Corporation Acts were repealed, they ceased to be exclusively a Church of England Legislature, and when the penal laws affecting Roman Catholics were repealed, they ceased to be an exclusively Protestant Legislature; but they had not yet, ostensibly at least, ceased to be a Christian Legislature.

Petition laid on the Table.

Lord *Suffield* presented a similar Petition from the town of Manchester, which, his Lordship stated, was also very numerously and respectably signed. The petitioners considered, that all laws ought to be abolished which interfered with the right of every man to worship God according to the dictates of his own conscience; they stated also, that no ground existed for the continuance, as regarded the Jews, of these disabling laws, which were neither equitable nor founded in sound policy; and they appealed to their Lordships to look at what had been the conduct of the Jews resident in this kingdom, whether they had not been obedient to the laws of the State, and promoted the welfare of the community at large; and, finally, they prayed that the laws which imposed civil disabilities upon the Jews might be repealed. He could bear testimony to the respectability and character of many of the persons whose signatures were attached to this petition, which was well deserving the serious attention and consideration of their Lordships. There was only one fact, in addition to those stated by the noble Marquess of which he wished to remind their Lordships. It was this: In consequence of an application which was made to the Emperor Napoleon, regarding the particular tenets held by the Jews, he ordered a Sanhedrim to assemble at Paris, with a view to declare, for his information, what were the principles of the religion of the Hebrews respecting their social and political relations. The Sanhedrim assembled in 1807, and it was composed of eighty of the most learned Jews of France and Italy. The result of their Report was, that the Jews felt themselves bound to obey the laws of the country in which they lived—that they had ever been loyal to the kings of those countries in which they had settled—and had given their support to the Governments which afforded them protection. Such having been the result of that memorable inquiry, he could not conceive that any good and substantial reason could be assigned for withholding from the Jews a free participation in those civil rights which were enjoyed by all other classes of his Majesty's subjects.

Petition laid on the Table.

EDUCATION (IRELAND).] The Earl of *Roden* rose for the purpose of presenting Petitions from the ministers, elders, and Presbyterians of Ballymena, praying for a change in the national system of Education in Ireland; and from the members of the Protestant Conservative Society of Ireland, to the same effect. He had also a petition to present from a parish in the county Fermanagh, praying that the new system of education might not be imposed upon them, and that either the system adopted by the Kildare-street Society be substituted, or some other which did not interfere with the free circulation of the Bible. Before moving that, he would take the liberty of making a few observations to their Lordships. The noble Earl accordingly addressed the House in nearly the following terms:—

My Lords—Having felt it my duty, a few evenings since, to give notice of my intention of submitting to your Lordships' consideration the petitions upon the subject of the system of national education in Ireland, which now lie upon your Table, I must solicit your attention at some length to the subject. Although I feel extremely anxious that this subject, which has always appeared to me to be of deep and vital importance, should obtain an early discussion, I also feel most anxious not to press it forward except in the presence of the parties interested. But now seeing the most reverend Prelate opposite, one of the Commissioners, the Archbishop of Dublin, in his place, I propose to make some remarks to your Lordships, by which I shall give the very reverend Prelate an opportunity of informing the House what have been the results of that system of education which, twelve months since, was brought into operation—a system which, it was stated by the Government, was to benefit all classes, by imparting a united education to Protestants and Roman Catholics. In what I have to address to your Lordships I shall be as brief as possible; but as I shall have occasion to refer to various documents, I trust your Lordships will bear with me, while I lay before you statements founded upon authority that cannot be questioned. I think I shall be able to prove to your Lordships, that this system, which was adopted as a national system of education, is one of an exclusive nature, and that its tendency is rather to separate than combine the different classes in Ireland. I must, however, in the first instance, call your Lordships' attention to this fact—that there was, previously to this system being adopted, another system in operation, and which, from 1816 to 1831, formed the national system of education in Ireland. It is almost unnecessary for me to inform your Lordships, that the society to which I allude was called the Kildare-street Society. It received for a series of years annual grants from Government; and I do not think I am going too far when I say, that the system worked well, and conferred important benefits upon all classes of society. But, your Lordships must also bear in mind, that in 1831 his Majesty's Government stated it to be their opinion, that the system was of too exclusive a nature, and that they must change it altogether, in order to unite and combine under one system, persons of every religious denomination. It will be more accurate, perhaps, if I refer to the words of one of his Majesty's Ministers upon the subject. Mr. Stanley, the right hon. Secretary for Ireland, on the formation of this new plan, wrote a letter to the Duke of Leinster, who, as your Lordships know, has been placed at the head of the new Board, in which the right hon. Gentleman said, that the system was to be adapted to the views of persons of all religious persuasions; that it was a grand plan of national education, one of the great objects of which would be, to unite in the same schools children of all creeds. It will be necessary, continued the noble Earl, to remind your Lordships, that, at the period his Majesty's Government thought fit to withdraw the grant from the Kildare-street Society, 1,621 schools were receiving aid from its funds and; that 137,639 children were receiving instruction, a great majority of whom were Roman Catholics. However, there was one great fault found with this society—or as it was described in the letter of the right hon. Secretary for Ireland, there was a vital defect in the system, and that defect was, that under it was permitted the use of the unmutilated Word of God. His Majesty's Ministers sacrificed the Kildare-street Society, not because the feelings of the great mass of the Roman Catholics were opposed to it, inasmuch as the Roman Catholic children attended not merely the schools of the Kildare-street Society, but those under the Hibernian School Society, where the use of the Bible was more strictly enforced than in the Kildare-street schools; but his Majesty's Ministers sacrificed the society upon the representation of the Roman Catholic priests in Ireland—who have ever been opposed to allowing the children of their creed to be instructed in God's Holy Word. It may be urged by noble Lords opposite, that few petitions have been presented in this Parliament against the measure. I cannot, however, imagine that any forcible argument can be deduced from that fact. In the last Session of Parliament petitions from various parts of the empire crowded your Lordships' Table. The petitioners set forth, that the system was fraught with mischief—that it was calculated to propagate error, and was sure to prevent the knowledge of truth from reaching those who were most anxious to obtain it. These petitions were numerously and most respectably signed; and I was sorry to hear in this House some of the petitioners charged with being actuated by private motives, while others were charged with being influenced by factious views. And why, my Lords, should they have been so accused? Have, or have not the statements set forth in the petitions been verified? I am sorry, my Lords, to state, that the fears expressed as to the results of the experiment have been too unhappily realized. Now, my Lords, I shall show presently, that this system of education is so exclusive in its nature, that it is impossible it can ever afford combined education to Protestants and Roman Catholics. It is impossible, I say, that Protestants can consent to send their children to these national schools—schools which in a great many instances are held in chapels, monasteries, and nunneries. I am prepared to show, that the Board of Education granted in several instances pecuniary assistance to schools which were held in monasteries, nunneries, and chapels, where the tenets of the Roman Catholic faith are of course inculcated. I charge the Board with having granted, out of the public monies, sums for imparting an exclusive system of education — out of funds, be it remembered, that were placed at its disposal for the purpose of teaching a system that would combine children of all religious creeds. I charge the Board, moreover, in the presence of the most reverend Prelate, the Archbishop of Dublin, with a lavish expenditure of the public money—I charge it with giving salaries to schoolmasters, in some instances double, and in others treble, what the same persons received from the Kildare-street Society. Persons aware of the fact must come to the conclusion that such an increase of salary was meant as a bribe to the masters to induce them to leave the Kildare-street Society, and thus gave an appearance of popularity to the schools under the Board. The first thing to which I beg to direct the attention of your Lordships, is to a paper laid upon the Table of the House, setting forth all sums granted by the Board to the several schools. This document was laid on the Table of the House at the close of the last Session of Parliament, and is made up to the 11th July, 1832. It is not my fault that we have not got a similar Return up to the present period. I shall now proceed to show the exclusive character of the new system. In doing so, I shall, of course, be obliged to trust, in a great degree, to communications which I have received from individuals residing where the schools have been established; and, as my correspondents are highly respectable persons, I make no doubt that my information is accurate. The first sum I find upon this list, is a grant to the Mendicity Society. It would appear from the Return as if the Board had granted a salary of 100*l.* a-year to the teacher of the Mendicity Society Schools. In communicating with some persons connected with the Mendicity Society, I discovered that there was some misunderstanding with respect to this, inasmuch as the sum had never been received. I have it from a gentleman of high character, a member of the Mendicity Committee; and I received from him a statement of the proceedings between the Society and the Education Board, in which he denied that the head of the Mendicity Society Schools had received aid. It described the nature of an application made to the Board, and the forms that were required. The application, which was said to have originated with the Mendicity Society, was, in fact, got up at the instigation of the Education Board. There were two public meetings of the Society held on the subject; and during the discussions, which were public, one of the Commissioners of Education was present; and though the grant was ordered by the Board, it has never since been applied for by the Society; if, therefore, an application, as stated in the returns, was ever made, there must have been some imposition, or, perhaps, forgery, practised. The next school to which I shall refer is that of Carlow, the teacher of which receives 25*l.* a-year from the Board; that is, exclusively, a Roman Catholic free school, and one of a very numerous class to which I shall have to refer somewhat more in detail. I do not mean to trouble your Lordships with reading all the communications which I have had from several parts; they are, it is true, important, but they are too long to be read in detail. Nearly the whole of the observations which I mean to make might, I have no doubt, be gleaned from those letters, and I am ready to show them in private to any noble Lord who may have a desire to see a confirmation of my remarks. The school of Carlow is, as I said before, a free-school, and exclusively devoted to Roman Catholics; and there is also a female school in the same place, conducted on similar principles, and both are under the patronage of the Board of Education. A grant has likewise been given to a Roman Catholic female school in the town of Clonakilty: this school is kept by a man, and, like the others, exclusively Catholic; and, under such superintendence, it is impossible it ever can become a medium of combined education. The school at Barron is another establishment under the patronage of the Board: there are 100 Roman Catholics and three Protestants in it; it is a chapel-school, and the system of education, I may say, is exclusively Roman Catholic. There is another school at Clonmore, in which there are about four Protestant children; though the signatures to the application for assistance contained some Protestant names, which, I must inform your Lordships, were obtained by the Roman Catholic priests under false pretences. There is a school at Ennis which was instituted by a Roman Catholic priest; the present teachers are monks, and the system of education is purely religious; the Board has given to this school 30*l*. a-year for a teacher, although the school has actually been set up in opposition to scriptural education. At Rahana, a school, which was formerly under the patronage of Lord Down, is now converted to similar purposes. A Catholic school for females has been set up in Maryborough, and twenty Protestants signed the application, but they did this at the urgent entreaty of the Roman Catholic priests; and one of them, a watchmaker, has since declared, that he was afraid to refuse his signature, as he had frequent occasion to travel through the country repairing clocks and watches. Several of those who signed the application have since regretted that they did so, and endeavoured to withdraw their signatures, but without avail. The grant has been made. I am, therefore, justified in saying, that, when such a preference is given to the priests, in opposition to several scriptural schools established in Ireland, the Board and the Government have neglected their duty, and are instrumental in supporting error against truth. There is at Esker an extensive, and (judging it on Romish principles) I believe an excellent school—but the education is purely Roman Catholic—all the children are Roman Catholics: in the body of the school there is an altar, at which mass is celebrated every morning, the Roman Catholic catechism is read at another period of the day, and prayers, according to the Roman Catholic form, are read at two other stated hours in the day. A lady told me, also, that, upon entering that school, the first book she perceived was a little volume entitled "Fifty Reasons for not becoming Protestants," and this, too, is one of the schools patronised by the Board of Education! There is another school, under the Board, at Castlebar, exclusively Roman Catholic. At the Glynn school there are but two Protestants, and the Roman Catholic catechism is there read daily to the pupils. I might enumerate several other schools of a similar character; in all they amount, I believe, to forty-nine. I have now laid before your Lordships the important fact, that forty-nine of these schools are purely Roman Catholic, where the tenets of the Roman Catholic Church are exclusively taught. These schools, I have shown, are either held in monasteries, nunneries, Roman Catholic chapels, or in the chapel-yards, and I think I have made out a strong case to prove to your Lordships that what his Majesty's Government promised should be a system of a combined education, has turned out to be one of a most exclusive nature. But it is said, that this system has met with the approbation of the Roman Catholic priesthood of Ireland. It undoubtedly has, and it is not surprising that it should. When I turn to the list of applications for aid at the Board, I find the names of 209 applicants, all of whom are Roman Catholic priests. Of the other applicants, there are but twenty eight who are called Protestant clergymen, and amongst these are some Socinians and other seceders from the Church of Scotland. How the Roman Catholic bishops have come to concur in it I know not, unless it be, that the teachers in the schools are all under their dominion. The effect of this system has been the giving up of the Roman Catholic children exclusively to the Roman Catholic priesthood, and virtually depriving those children of the Word of God. It is quite impossible that Protestants can unite in a system which seems to them the means of propagating and supporting a religion against the errors of which they have been taught to protest. It is impossible that any united system of education can ever be adopted where there is no common ground to stand upon. The only common ground that ever can be discovered is the unrestricted use of the unmutilated scriptures of truth. That was the ground taken by the Kildare-street Society; but his Majesty's Government, in cutting that ground from beneath the feet of the Society, have made the breach wider than it ever was before between the Protestant and Roman Catholic population of Ireland. It is some consolation to these respectable individuals in England, Scotland, and Ireland, who took the same views of this subject as that entertained by myself and my noble friends, that we did all in our power in your Lordships' House, to prevent the system from being acted upon; and although petitions have not, for the reasons I have before stated, this Session been poured in against it, I will take upon myself to say, that never was the public voice more loudly raised against it than at present—never, in fact, did the public pulse beat higher with respect to this system than at this moment. Can any person doubt what the feeling of the public is with respect to it? Seventeen out of the twenty-two Irish Prelates have protested against it, and they have been followed and imitated by the Synod of Ulster, a body composed of persons not surpassed in respectability and a love of religion by any class whatever—men devoted to those principles for which their forefathers bled—and whose anxious desire is, that their fellow-countrymen should not be debarred from the blessings derivable from the Word of God. That enlightened body has lifted up its testimony against this system. There are also the Methodists—the clergy of the Established Church — the Grand Jurors and High Sheriffs—they have all concurred in deprecating the system. We find also many Prelates of the Established Church in this country opposed to the system—and I recollect being delighted during the last Session by hearing utterance given to the truly Christian sentiments entertained by these right reverend Prelates—sentiments which did equal honour to their heads and hearts. When Scotland heard that the Bible—that book which her children so much valued—was about to be withdrawn from the people of Ireland, how did she act? She sent forth her indignant remonstrance against such a proceeding; and yet, in defiance of public opinion, and contrary to reason, and common justice, his Majesty's Ministers have continued to force their plan upon the people of Ireland. Dr. Chalmers, speaking in his own forcible manner upon the subject, declared, "that the proposed system of education was the first attempt since the Reformation to interfere with the Scriptures by a legislative enactment, and that he could not approve of a plan which kept the Scriptures out of the hands of children—those Scriptures which formed the foundation of true religion." Such, my Lords, are the sentiments of that great man, who concurs with me in the opinions I have ever held, and continue to hold, on this great and important subject. All who know the working of the Kildare-street Society are satisfied that the system produced great benefits. It was going on most favourably until the new allies of his Majesty's Ministers — the Romish hierarchy—became alarmed at the progress which scriptural knowledge was making, and having entered into a correspondence with the noble Earl at the head of the government, we find the effect has been the production of this new Board —this bantling of Romanism—this motly crew—this heterogeneous mass—this cage —I will not say of unclean—but of many coloured birds—this Board, I repeat, was not formed for the purpose of conciliating the Roman Catholic population, because their children attended the Kildare-street Society Schools, but it was formed in obedience to the dictates of the Romish hierarchy—and be it remembered by those who so basely crouched to them, that many of these same individuals last year led on crowds of persons in opposition to the law, covering the country in many instances with blood, and in all with ignominy and disgrace. These, my Lords, I consider as awful times—awful with respect to Ireland, and give me leave to say, with respect to England too. The times indeed are awful when the rulers of the people consent to sacrifice the Book of Truth at the shrine of error and of prejudice. That Book which was so long the safeguard of England is now withheld from the people; and the rulers of the country, in order to gain them over to their side, are obliged to bow down to those who thrust this system of error upon them. I think, my Lords, the times are awful when we find the rulers of the land, who ought to be the first to set their faces against error—who know it to be error—who have sworn it to be so—I say, my Lords, it is awful and lamentable to see such men, in place of checking the evil, doing everything in their power to extend and perpetuate its baneful effects. Fatal delusion! If they think to gain the Romish priesthood over by such a course, they are grievously mistaken. Each concession will be followed by demands for still greater concession. Each new concession whets their appetite for more, and depend upon it, my Lords, that party never will be satisfied until Romanism is triumphant and Protestantism laid prostrate. God forbid that I should live to see the day when my Protestant countrymen—ay, and my Roman Catholic countrymen, too—are bound hand and foot, and placed at the disposal of those who have ever been opposed to liberty. I have lived in Ireland all my life—I will not yield in love for my country to any man. I know the people well, and I am attached to them. I have seen with sorrow the tyranny practised towards the poor Roman Catholics—and I have done all in my power, so far as the influence of a landlord and a resident could go, to relieve them from the thraldom in which they are placed. I took the only means in my power of enlightening them, by the distribution of that immutable word which is capable of making man "wise unto salvation," with what effect, it is not necessary now to inquire; but I am sure many noble Lords will agree with me, that it is impossible for the private exertions of any individual to compete with those who have the command of the public purse. If the noble Earl and his Majesty's Ministers be determined to establish the Roman Catholic religion in Ireland—and the signs of the times induce me to suppose such an object not to be altogether out of view—if, I say, they are determined to do so, and proceed in their plan of spoliating the property of the Church, and paying the Roman Catholic clergy out of the plunder—if they are resolved upon the destruction of ten Bishoprics—but, above all, if, by persisting in this system of education, they deny the Scriptures to the people—on their heads be the sin—on them be the awful responsibility. I feel I have occupied your Lordships too long; but, in the name of my countrymen—in the name of those who are interested in the preservation of the Church—in the name of those who are interested in the maintenance of the true religion, as established amongst us—in the name of the Protestants of Ireland—I call upon your Lordships to give them protection and support. They have been the English garrison in that country since the time of Henry 8th; they have been true to the trust reposed in them; they have been faithful to you in your utmost need; they have stood forward in the breach—and, though many have fallen, and survivors have been ill requited, they are bound to you by ties not easily dissolved. Listen, then, my Lords, to their remonstrances. I feel it no small privilege to be permitted to stand here as their advocate. I have embarked with them in a common cause, and with them I am ready to stand or fall. I know not what conduct his Majesty's Government may next pursue; but I would implore of noble Lords who sit on this, the Opposition, side of the House not to absent themselves from that post which their duty calls upon them to occupy. I would implore of them that they be ready to answer "content" or "not-content," on whatever question is brought forward; and I would implore of his Majesty's Ministers, if they have not determined upon sacrificing everything valuable or worth regarding in Ireland, to give up their odious plan for propagating the Romish faith in that country. If the Government do not find themselves able to stand by the truth, let them withdraw the grant altogether, and leave the education of the people in the hands of those who will give their time, their money, and their influence, in forwarding what they know to be for the benefit of the country. I would implore the Government to save the country the expense, as well as the disgrace, of perpetuating such a system. I trust it will never be said, that any Protestant Government—but above all, a British Government—united with Popish priests to withhold from the people the immutable Word of God. The noble Earl concluded by moving that the petitions do lie on the Table.

The Archbishop of *Dublin* said, that he felt it necessary to bespeak the indulgence of their Lordships, in rising to address them under circumstances which must be painful to every one who was not a stranger in that House, as he had been till so recently; but which were peculiarly painful to him, because he was now placed upon his trial on account of his intimate connexion with the Board of Education. He stood before their Lordships to be tried, not only for countenancing a system which was pronounced to be radically vicious—which was called a bantling of Romanism—a nefarious system—and was characterised by other phrases equally severe, but for having, in conjunction with his colleagues, been guilty of malversation in their office, not only lavishing the public money, but using it for purposes of bribery. He trusted their Lordships would recollect the situation in which he was thus placed, and would make allowance for the difficulty of his position, as well as for his want of those oratorical powers which might be requisite to meet the accusations brought against him. He was invited by his Majesty's Ministers to take a part in the conduct of the Education Board in Ireland; and after a good deal of deliberation, and the best inquiries he could make, he consented, from a firm conviction that it would be for the good of the country. He had not, it was true, long resided in Ireland, when the invitation was given; and when he visited that country some fourteen years ago it was only for a short time; but even before he had any thoughts of going to reside there permanently, Ireland had occupied a great deal of his attention. He had always felt, and he wondered that all his countrymen did not feel the same, that Ireland was a part of this empire, and entitled to most anxious consideration, on account of the troubles and difficulties and dissensions under which she had suffered. He had often turned in his mind (although without any prospect of being able to carry his views into practical effect) how the evils of that country could be removed, and, therefore, he was not a complete stranger to the subject when he was appointed to the Archbishoprick of Dublin. He decided in his own mind that the plan of his Majesty's Ministers was more likely to be successful than any other. Perhaps he erred, perhaps he deserved blame for not being led by those who had more experience than himself; but the truth was, he was told one thing by one person, and another thing by another: they differed as much in their facts as in their inferences. Some very respectable persons told him that the Kildare-street schools were a great benefit to the country, that they were making great progress among the people, and would furnish everything in the way of education that was wanted, while others gave him a directly contrary representation. He, therefore, found himself under the necessity of collecting facts for himself, and forming the best deductions from them he could. The result of his inquiries was, that he thought he might do good by joining the Board, though he could assure their Lordships that he had not consented to become a commissioner to these schools with a view to any credit or comfort or ease of his own. He knew that, in accepting the office, he should be liable to many attacks. It had been said of him, for example, and often repeated, that he supported this measure, and would support any measure of his Majesty's Ministers, as a devoted partizan. It might be of little consequence whether such a person as himself was attached to any party or not; but if he was worth mentioning at all, he was worth mentioning with truth. He did not mean to impute wilful falsehood to those who made these accusations against him. Perhaps they judged from their own experience—perhaps they had never known or seen or heard of a person who was not attached to some party. But he said that they were not justified in putting forward a conjecture with respect to him as if it were a fact. All who knew him knew that it had ever been a rule with him never to attach himself to any party, ecclesiastical or political. He considered every measure upon its own merits, without reference to the persons from whom it emanated. Any attacks which might hereafter be directed against him he would answer as he answered those which had been hitherto made upon him—not by words, but by his conduct; for he held that the character which could not defend itself was a character scarcely worth defending. But it was said that there was no moral turpitude in being connected with party. That was the very reason why he disclaimed it. If the charge were one which implied a moral delinquency, he hoped it would be unnecessary for him to notice it before their Lordships. He said, in answer to the charge, that he was an independent man, and was entitled to be considered as an independent man. He felt it necessary, as a matter of justice to his Majesty's Ministers still more than to himself, to declare, that whatever support he gave to their measures was not induced by party bias; and that if he gave his voice in their favour, it was not the reluctant and extorted testimony of a prejudiced witness, by whom everything was taken at a premium on one side of the question, and at a discount on the other. He averred thus much reluctantly of himself, because he wished their Lordships to be aware of his views, and to judge of him with that candour with which he spoke. He considered himself bound also to state thus much, in justice to his Majesty's Ministers. He would then proceed to speak of the grants of the Government money by the Commissioners. He would say first, he did not find the system proposed to be adopted by the Government was essentially at variance with that pursued at several other schools which had caused none of this clamour. In the course of many private conversations, individuals had brought forward objections to every scheme of education, some of which he must acknowledge were sound and valid. There were objections, undoubtedly, against the education of Roman Catholics and Protestants together; there were objections, and in his mind—stronger—to their education being conducted separately; and there were also objections, which he considered the strongest, to not educating them at all. They had a choice of evils, and he thought the least evil had been chosen. He lamented that there should be so much hostility on account of differences of opinion in Ireland; but the differences and the hostility existing must be met in some way. He found an example of a combined system of education in the Mendicity Schools in Dublin. At those schools there was a system, which was said to be the very type of the Government plan: Protestants and Catholics together received instructions which did not interfere with their religious tenets; and one day in the week was left, upon which they received religious instruction from their respective pastors. While that difference of religion existed in Ireland, which he lamented as much as any man, it was necessary to provide for the religious instruction of the children by some such means. The funds of the Society being low, it was considered whether an application should not be made, for a grant; but it was determined that the application should not be made, as numbers of the subscribers threatened to withdraw their names if the Society received any aid from the Commissioners, or had any thing to do with that which had been called a nefarious system. Yet it appeared that the Mendicity Society schools were conducted on exactly the same system, in every particular, with that of the Education Board. He would not weary their Lordships by going through all the objections which had been raised against the system itself, and which had been long since fully discussed. He would not go the length of saying, and considering their Lordships as pledged to the conviction—that the system was good; but neither ought its opponents to say that it never could possibly succeed; because that point remained yet to be decided. It was brought before their Lordships in a former Session; Their Lordships had, after mature deliberation, decided that this system ought to be tried. If, then, they did not mean to tax themselves with folly for having come to that decision, he called upon them, in the name of justice and common sense, to give it a sufficiently long and fair trial. It was said, that the Kildare-street Society had not had a fair trial—that it had not been suffered to go on long enough—that it would have produced all the benefits that could be expected from it, but that it was hastily and prematurely stopped. He did not say that it had gone on long enough. He did not presume to judge what length of time would be sufficient for a fair trial; but this he said, that for several years the Kildare-street Society had had inspectors, a model-school for the preparation of masters and mistresses, a pile of books for the use of the Institution; masters and mistresses had been sent out by the Society, and most of those who superintended the schools, had received their education from the Society. He need not explain to their Lordships that a model-school was of the most essential importance. It was a school under the immediate inspection of the director of the system in which those masters and mistresses were framed who were to carry it into effect. But the model-school of the Education Board in Merrion-street—he meant that for boys—was only opened yesterday; the model-school for the girls would not be opened until after Easter. They had not been able sooner to get the buildings and furniture, and the various necessary arrangements completed. And this they were told was a fair trial—the measure, having, in fact, not come into actual operation until this very day. It was not until inspectors should have been sent to the different schools, and masters and mistresses sent from the model-school, prepared as well as the Board could prepare them, that there could be a fair trial. To call for returns, and throw obstacles in the way of the proceedings at such a time, when the system had not been much more than a year in operation, and when the model-school—its most important feature—had only been brought into operation this day, reminded him of the child who planted seeds in a garden, and dug them up every two or three days to see if they were growing. They might laugh at the child; but if an adult were to do the same thing every body would conclude that he did not wish the seeds to grow. If the system were to be tried at all, it should have a sufficiently long trial and a fair trial. In order to have a fair trial, it was important that the Commissioners should not be perpetually interrupted, and their secretaries and officers taken away from their regular duties, for the purpose of making out returns, which occupied a considerable time that ought to be devoted to objects connected with the Institution. The Board consisted of persons who had other occupations, which rendered it impossible for them, if they possessed double the strength and diligence of ordinary men, to perform the tasks which were sought to be imposed upon them. There had been several hundred applications for the establishment of schools which they had not had time fully to consider, though they had exerted their utmost diligence to forward the inquiries which were necessary, before these applications could be acceded to. With regard to the expenditure, all he could say was, that they had been scrupulously economical. It could not be expected that he could bear in mind all the cases which had come before the Board, and he could not remember the particulars of the forty-nine cases which had been alluded to by the noble Earl; but he wished their Lordships to remember, that the statements of the noble Earl were *ex-parte*; and if he were permitted to make inquiries, he had no doubt but that he should be able to show that the same principle which had regulated the conduct of the Board generally had regulated them in all these cases. But supposing all to be as was stated, still there were only forty-nine cases out of 497 in which grants had been made (scarcely one-tenth part) complained of. The rule was, where applications were made for aid to establish schools, the Board had instituted inquiries, in order to ascertain the character of the persons making such applications, and the description of the scholars. He could not bring forward any of the correspondence, but he could assure their Lordships, that the Board had acted with the most scrupulous care with respect to the character of the schools to which grants had been made, as well as in the allocation of them. In one case that had been brought forward—that of the Mendicity Institution—the salary proposed was, altogether, 100*l.*; but no grant had been made. Ordinarily, the Board had granted salaries of no more than 10*l.* and 15*l.* a-year, which struck him as being very low. But he had to entreat their Lordships to remember, that it was impossible for him then to explain all the cases. All he could say was, that they had exerted every care and pains to conduct their business in the most economical and the most effectual manner, and all this in the midst of a system of persecution and delusion which would have been enough to deter most men from proceeding. Not only the Commissioners and agents of the Institution, but those who sent their children to the schools, had been designated as infidels, apostates, everything opprobrious that language could supply. They dared not publish their names, because their characters were liable to a species of moral assassination. One of the obnoxious parties said, he thought the burnings in the south of Ireland not worse than the persecution on account of these schools in the north; and he mentioned one or more Presbyterian congregations which had been set against their pastors, and had been induced to insult them in the streets. It had also been objected to the Society (and to this their Lordships could bear witness) that they had used compulsion in the establishment of some schools; but he could assure their Lordships, that no force had ever been employed further than this:—They had told the parties, here is money, if you wish to establish a school, take it; but don't take it if you don't like it. They had also been told (and this had been asserted throughout England, and was the only cause why so many petitions had been presented against the new system), that

Protestants were to be deprived of the use of the Bible. They certainly did not compel the children to read the Bible, and for his part he did not wish to compel any one to read the Bible. That would savour of persecution, and to do so would neither be of any service to religion, nor consistent with the proper spirit of Christianity; but they had made it imperative in all their schools, that a certain portion of the week should be set apart for religious instruction—namely, some one day, besides Sunday. Those who had any scruple against such instruction had it in their power to withdraw themselves; and any clergyman of the neighbourhood might appoint a day in the week in which the children of his own denomination might read nothing but the Scriptures, or the Homilies of the Church. The children read the Bible one hour a-day for five days in the week, and the other two days they read nothing but the Bible. He would ask how many of their Lordships' children—how many even of their Lordships themselves, read the Bible so much? He would ask whether such instruction as that contemplated by the Institution was not sufficient to make the children know the Bible both in spirit and in truth. He believed that these children would know more of the Bible than under most other systems. At the same time he would not deny that, in many cases, the instruction was not given, because the clergy in the respective neighbourhoods, whose duty it would have been to carry the intentions of the Institution into effect, had refused to give instructions to any of the children in these schools. They had declared, in letters to the Board, that they would have nothing to do with these schools, and would not go into them. If they conceived themselves justified in that proceeding, be it so: it was a matter betwixt them and their consciences; but what right then had they to complain of the effects of their own wrong? It was they who were depriving their flocks of the want of that spiritual instruction which they accused the Board of causing. Did they dread contamination from going into the schools? If the Apostles had never gone into a Jewish synagogue, how would the Christian religion have been promulgated? If St. Paul had never preached the gospel to the Athenians upon the hill dedicated to Mars, none of us, perhaps, would ever have heard of it. He did not blame any person, who really thought, being a Protestant clergyman, that he could not, with a safe conscience, encourage the Government system of education, although he must consider him to be in error for abstaining from doing so; but surely such a clergyman should not come forward and condemn the system as being exclusively Roman Catholic! Suppose he were to send round to the parishioners of certain parishes, whose ministers differed from him in opinion, and warn them that their pastors were bad men, who preached unsound doctrines, and that they ought to keep away from them; and rather frequent another church or meeting-house, or none at all: this would be thought rather a strong measure. But if, after their parishioners had taken his advice, he should turn round upon the pastors and upbraid them for having their churches deserted, and their company shunned, what words would be deemed sufficient to characterize the unseemly folly of such conduct? Pharaoh was called an oppressor when he beat and reproached the Israelites for not delivering the tale of bricks after he had deprived them of the requisite materials; but he did not go so far as to promulgate an edict, exhorting his subjects to prevent them from going into the fields to gather straw where they could find it, and then turn and reproach them for not bringing their tale of bricks. Whether the system were bad or good, it ought not to be frustrated by unfair means; but should be put to a reasonable test before judgment was pronounced upon it. The question, as to its being allowable to instruct members of different persuasions in the same school, their Lordships would decide; but, he would observe, that the Benevolent Society of St. Patrick, which had been established for fifty years, had, as one of its principal regulations, an order to the teachers to see that the children should attend to their religious duties—Protestants and Catholics, according to their respective creeds—their principles extending to all. The system of the Board was founded on the same principle. As to the mutilation of the Scriptures, he had always understood that a mutilation was only when a work was given as complete, while it was really deficient; but certainly the term could not be applied to such a work as Mrs. Trimmer's selections from the Bible. Yet that work had been used in all our schools for many years. He could not go through all the accusations which were daily brought forward against the Commissioners, and himself in particular, in the Dublin newspapers. The greater part of them he had not seen; for he did not read those papers, and should not know anything of them unless a friend should happen to tell him of them. From what had come under his notice, he could say, that five or six libels appeared in these prints every week. A system of terrorism was regularly acted upon. With regard to falsehoods stated in these prints, there were one or two every day. He had seen a letter from a Prelate to a Clergyman in his diocese, commanding him, on his canonical obedience, to withhold his support from the schools. The noble Lord had spoken of signatures to applications for grants being obtained by intimidation. He had no doubt that some signatures might have been obtained by that means; for, unfortunately, in Ireland, there was a system of intimidation which was not confined to any one sect or party. But he could assert, that the Commissioners had never encouraged anything of the kind, but that they rejected all such signatures as they knew to be obtained in that way. He would mention one of the cases put forward as a ground of complaint against them. It was alleged at a public meeting held at Dublin, and the allegation excited much indignation, that a clergyman of imbecile mind was carried to some place privately by the Commissioners, or some persons employed by them, and there entrapped into signing a paper, signifying his approbation of the system, and his wish that it should be introduced into his parish, and that afterwards, on being informed by his friends of the wickedness of the proceeding, he desired to retract his testimony of approval; but that no notice was taken of this application. He trusted it was unnecessary for him to assure their Lordships, that nothing of the kind ever happened—that the Commissioners had had nothing to do with so black a crime as kidnapping a man of imbecile mind for any purpose. But the charge had been in fact sufficiently refuted by being publicly contradicted. The person who stated it had been defied to bring forward any proofs of the assertion, and he had failed to meet the defiance. A complaint was made, that in many cases where persons sent to retract their signatures, the Commissioners, notwithstanding, did not withdraw the grant. In answer to that, he had only to say that they considered all such signatures as if they did not exist, but the other signatures were sufficient to induce them to make the grant. With regard to persons signing applications for grants, and afterwards withdrawing their signatures on the ground of not having read or understood the paper, it must, perhaps, be admitted that such persons rendered themselves liable to a charge of imbecility on one or other of those occasions, if not on both. He recollected two cases of clergymen retracting their signatures. One was a gentleman, who signed his name to an application for a grant, and afterwards came a retraction from a relative of his, a daughter-in-law he believed. The Commissioners said, that as the Gentleman himself had signed the application, he must himself retract it—and accordingly in a month or two he did so, and, without making any inquiry how it was brought about, the Commissioners at once erased the name. Another case was where a Curate asked his Rector in his (the Archbishop of Dublin's) presence, whether he would like that he should apply for assistance for a school which was established, or about to be established in his parish; and the Rector acquiesced. Afterwards, however, he said he was disposed to withdraw his name. The Curate, however, did not change his mind, and he knew of no canon which obliged a Curate to change his mind whenever his Rector did. With respect to extracts from the Scripture, it was said, that they would never be received by the Roman Catholics; except so garbled as to be a mutilation of the book, and offensive to Protestants. Now, the first extract adopted in the present system consisted of the whole book of Genesis, with the exception of some passages which he was sure no parent would hesitate to keep out of the hands of very young children. There was nothing of a controversial nature in it. Again, it was said, that the Bible was the one common ground for Protestants and Roman Catholics. Now, he said, that even if Protestant children read the whole Bible through, it was not a common ground, for the Protestant version was not admitted by the Roman Catholics as an authorised version. The Douay Bible was taken from the Vulgate, which was the authorised book of the Roman Catholics. Besides which, the Apocrypha formed part of the Roman Catholic Bible, and not of the Protestant. Therefore, he said there was no common ground. As to the charge that no extracts would be used by the Roman Catholics which were not garbled, he thought it was rash and premature to suppose that the different parties concerned would acquiesce in such an arrangement. There were clergymen of the three kingdoms on that Board—English, Scotch, and Irish, all brought up at different Universities. There was a presbyterian minister, the reverend Mr. Carlile; Dr Sadleir, who was educated at Trinity College, Dublin; and himself (the Archbishop of Dublin), educated at Oxford. How was it to be supposed that they would all agree in garbling the Scriptures so as to favour the Roman Catholics? He would however, mention one or two of the accusations brought against the Board. One charge was, that certain passages in the lessons sanctioned the worship of the Virgin Mary who, in fact, was never mentioned at all. The second Scriptural lesson which the Board was so much condemned for authorising, consisted of the whole of that mutilation of Scripture, called the Gospel of St. Luke. As an instance of the calumnies which were heaped upon them, he would mention that it was stated some time back at a public meeting, that violent dissensions had occurred in the Board, upon a difference of opinion as to the adoption of the phrase, " Repent ye, for the kingdom of Heaven is at hand," or " Do penance, for the kingdom of Heaven is at hand," and that in consequence of this controversy, the injunction to repentance was thrown overboard altogether. Both the words penance and repentance were omitted, it was said, and thus a great Christian doctrine was completely cast aside. This charge was repeated in pamphlets, in newspapers, in private conversations, and in books, almost incessantly for half a year. A loud clamour was raised against the omission of the doctrine of penance, and undoubtedly such an omission would deserve very severe reprobation. There was, however, one circumstance to which, although it seemed to be quite immaterial to the persons who originated the statement, their Lordships would, perhaps, attach some little importance—namely, that there was not one word of truth in the story from beginning to end. The whole was a fabrication. He pledged his honour that there never had been the slightest dispute at the Board on the subject, and that there never was a motion for the omission of the passage; and there it stood as it had ever been, " Repent ye, for the kingdom of Heaven is at hand." There was indeed a note appended, stating, that as the phrase, " Do penance" might be offensive to Protestants, and as " Repent ye" could not give offence to either party, the latter was preferred. He was fully sensible of the importance of this passage, and he hoped that those who had taken part in the propagation of so slanderous a report, would immediately and publicly testify their repentance of it. This was a specimen, and no more than a specimen, of the reports which had been circulated from one end of the kingdom to the other—these were the engines which were made use of to divert and delude the people—but he appealed to their Lordships whether this could be called giving the plan a fair trial. He declared that he and his colleagues had been assailed by every kind of misrepresentation and falsehood, violence, and intemperance of language, which appeared to him far, very far, from being consonant to the spirit of Scriptural education. All those who endeavoured to aid in the introduction of this system, had met with the most severe persecution, their motives had been assailed, and their characters hunted down. This was a species of Scriptural mutilation to which he strongly objected—that practical mutilation of the Scriptures which made men resist that important precept, " Do as you would be done by." Nor had this agitation been confined to Ireland. In England—in London, meetings had been held at a place—Exeter Hall, he believed it was called—at Bath, Liverpool, and other towns. But how were these meetings got up? They were founded upon a system—the exclusion of all persons who did not come there prepared to oppose the measures of the Government. In this way there could be no difficulty in getting up petitions for or against any measure. He did not impugn the motives of the persons attending those meetings: but he had a right to impugn their judgment; for they had only heard the statements, or rather the misrepresentations, of one party. They were told that the Protestants were to be excluded from seeing the Bible, and they expressed an earnest desire that that Bible should not be taken away from that people of Ireland—a desire in which he most heartily concurred. They were told that the children in Ireland were to be delivered over to the Catholic priesthood whether they would or not: and many other gross mis-statements were made, they having previously taken care to exclude all possibility of contradiction. But why, he asked, did they not give the people an opportunity of fairly exercising their judgment? Why did they lead them away by delusion? Why resort, as they had done, to persecution and intimidation? He was ready to pledge himself—he was ready to give a pledge on behalf of his colleagues—that nothing of the kind should ever be exercised in favour of the system, and he called on those opposed to it to exert themselves in a similar manner, and then they might be enabled to obtain a fair trial of the workings of the system; but it was utterly impossible to say whether the experiment would succeed, much less had they any right to say it had not succeeded, when it had not yet been tried. It had not yet been tried as many months as the Kildare-street Society had existed years, and yet they were told that the Kildare-street Society had not yet received a fair trial. It was absurd, therefore, to say that the new system had been sufficiently tried. He was compelled to call on their Lordships to take something on his assertion, which he could, but dared not, prove, lest he should sacrifice the comfort, peace, and safety of some highly deserving and respectable individuals. He pledged himself that there were many clergymen, both Protestant and Presbyterian, who approved of this system, but who dared not support it for fear of coming in collision with their neighbours and friends where they resided. They dared not expose themselves to the clamour that would be raised against them, or encounter the obloquy and abuse which was sure to be poured on them. Some clergymen had personally, but privately, communicated this to him, whose names, of course, he could not betray. Others had written to the same effect, and in some cases they had refused to support the system, although they strongly approved of it, because the Bishop of the diocese had signed a paper against it—they did not like to have their names in print opposed to their respective Bishops. Others, indeed, were animated by a feeling, which for the sake of charity and religion he hoped would soon die away—had declared they would have nothing whatever to do with the religious instruction of any children who went to these schools. He hoped that all persons who wished men to enjoy true liberty, and the unmolested right of expressing their sentiments according to their own conscience, would exert themselves to put an end to that system of intimidation and agitation which was kept up in Ireland. Agitation he said it was—for what was it but agitation to go about through every parish in Ireland, setting not only Catholics against Protestants, but Protestants against each other, and denouncing all the supporters of the national system of education as idolators, atheists, apostates—in short, heaping upon them almost every term of abuse which the language supplied. Was it right, then, he would ask, to reproach his Majesty's Ministers with consequences brought on by the very misrepresentations and calumnies with which they were assailed? He hoped the opponents of the Board would no longer attempt to bias the sentiments of the people by the use of violent language or insulting epithets. If the system was bad—speak of it as it was—and let it stand or fall upon its real merits. In conclusion, he would call the attention of their Lordships to this point. He did not deprecate any opposition which was made to this measure on his own account, or on that of his brother Commissioners. It was for the sake of Ireland—for the sake of that unfortunate country—for whose welfare he was ready to undergo even more slander and obloquy than he had yet been exposed to. He deprecated everything like a system of agitation on this subject, as opposed to every Christian feeling, and calculated to inflict the deepest injury upon society. For the sake of Ireland, then, he appealed to their Lordships to let this system have a fair, uninterrupted trial; and then let them come to a decision with calmness and Christian temper. For himself, he was ready to make every sacrifice, even that of life itself, to effect the moral regeneration of Ireland.

The Bishop of *Exeter* complimented the most reverend Prelate on the very able speech which he had just made, and expressed his sincere conviction that the most reverend Prelate had been actuated by the best and purest motives. He at least had never attributed improper, or unworthy, or party motives to the most reverend Prelate; nor had such motives, he believed, been attributed to him by any body in this country. That most reverend Prelate had said, that there were three modes of treating the question of education in Ireland: either to educate the Roman Catholics and Protestants together — to educate them separately—or to educate them not at all. The right reverend Prelate seemed to assume that the Irish were less educated than the people of this country—now the fact was the contrary; nor did he say this without due grounds; he had high testimony, that of the Archbishop of Cashel, given before the Commission on Irish Education in 1824. That Prelate said, that even in Tipperary he found the people more educated than in England. He did not, however, mean to say they were better educated; but the fact was, there were more persons in proportion who could read and write in Ireland than in England. The great question, however, was the best subject matter for education. Their Lordships had been told that this system had been condemned before it had been tried, and that a large majority of that House had last year decided that it should receive a trial, and that if they put an end to it in its present state, they would be stultifying themselves, or something to a similar effect. He did not know how far the voice of a previous majority was to bind them on the present occasion; but, if he remembered rightly, the majority of those who were present on that occasion, was for the Motion then brought forward. [*No.*] The majority which sustained this system was composed chiefly of proxies; but if it were not so, he was not one of those of whom it could be said that he condemned the system before giving it a fair trial? It was said, he knew, that the system was condemned without being tried; but he had always contended that no trial could ever prove its propriety or efficacy, since it was not founded on the principles of Scripture truth, and on the principles of the Protestant religion. He said, it was contrary to these principles, and he had a right to say, speaking in that House, that no trial could be successful. They were still, though not exclusively Protestant, yet a Protestant Legislature; and he trusted the time was not come, and never would come, when they were to be told that they must cease to enjoy the rights, and to discharge the duties which a Protestant Legislature ought to enjoy and to discharge. He had said, that he condemned this system because it was contrary to the principles of Protestantism; and he said this, because, in his opinion, it rendered impracticable the founding of the education of the children of Ireland on the knowledge of the Bible. They were told, that abundant opportunities would be afforded of giving Scriptural instruction to the children in the intermissions of school hours; but he would ask with what recommendation such instruction could come to those children, who would regard it as a deprivation of their hours of recreation and sport? Was that the way to recommend the Holy and Blessed Book to the affections of children? On the contrary, did he not perceive, that it would be the most effectual way of bringing them up in the dislike of all Scriptural instruction; for it would be in fact to require them to obtain that instruction only at the hours they would have at their own command, and for their own enjoyment? They ought to have Bible lessons as a principal part of the instruction in their schools—they ought to be always impressed with the feeling and the conviction that the knowledge of the Word of God was an essential and indispensable part of Christian Education. This, he should feel it his duty to contend, even if Scriptural instruction could be given by the clergy in sufficient measure out of school-hours. But it was affirmed by all who knew the local circumstances of Ireland, that it was impossible for clergymen to do what this system would require of them, if they were to be the sole teachers of the Bible; and the statistics of Ireland justified the assertion. The parishes were so large that there were several schools in almost every one of them. Throughout Connaught and Munster especially, such were the local circumstances, that it was physically impossible for the clergyman to attend all the schools, even if he had no other duties to perform, or for the children to receive that most essential part of their education, instruction in the Bible, if they received it not at school. The children were required to attend at school in the country at ten in the morning; but such was the distance which many of them had to go, that, as was affirmed by those who had most experience in the inspection of schools, in very few, was there a full attendance of scholars before eleven o'clock, and, for the same reason, the whole was over at three. It was therefore really impossible for the clergyman to give that regular and systematical course of Scriptural instruction which alone is worthy the name of instruction, and which the circumstances of the children required. With regard to the extracts from the Sacred Scriptures, the most reverend Prelate had complained of the statements, "that extracts from the Scriptures would never be made but in a garbled form, or, at least, that none but such garbled extracts would be accepted by the Roman Catholics"; he added, "that it had been made matter of accusation against the Roman Catholics that they permitted their children to read even such extracts, and that the Board of Education had been calumniously assailed as willing to lend itself to countenance these garbled extracts." He was quite sure, that the most reverend Prelate himself would not willingly suffer any garbled extracts to be promulgated; but the complaint made was, that the extracts selected did not present a fair specimen of Scripture properly so called. Why did he say this, not from want of charity, but from excess of charity towards the Romish Hierachy. He perceived the noble Earl (Earl Grey) lifted up his eyes at this expression. He felt much obliged for the attention the noble Earl was paying to his remarks; and he would tell the noble Earl that it arose from this much charity towards Roman Catholics that he believed them when they spoke upon their oaths. The Roman Catholic Prelates had sworn, that, consistently with their duty and the dictates of their conscience, they could not consent that any of their children should be present at the reading of any portion of Scripture taken from a version not their own. That was the evidence they had given on oath, before the Commission of Education Inquiry in 1824, and knowing this, he did not suppose it possible that any thing like a volume of extracts could be placed in the hands of Roman Catholic children which could be otherwise than garbled. The most reverend Prelate had produced, with a tone of triumph, a volume of extracts, which he said was not garbled. Now, the Roman Catholic said, that he would not permit an unauthorised version to be used in schools; and yet he found they had given their consent to the reading of at least a very large portion of it. It was said, that this was a specimen of their liberality. True, they were liberal; so liberal, indeed, that they seemed, in this instance, to have forgotten what they had previously sworn to. He also found that they had been, particularly in relation to one passage—the only passage, indeed, of great importance as relating to the distinctive difference between the doctrines of the Church of England, and the Church of Rome, and where the language of their own version was departed from—to take care that a note should be appended, explaining their peculiar view of the passage. The right reverend Prelate then proceeded to call the attention of the House to the note, which he said clearly contained an allusion to the Virgin Mary, and entered into a theological disquisition upon the "seed of the woman crushing the serpent's head," to show that Roman Catholics had perverted the meaning of the passage into expressing that the Virgin Mary herself, and not her seed was to crush the serpent's head. And this was a volume of extracts to be read in Protestant schools! In a book recommended to the perusal of the scholars by the Board of Education, it was held to be indifferent with regard to redemption, whether the head of the serpent was to be crushed by the woman or Jesus Christ, or whether Jesus Christ did it for himself; so it was described in a book adopted by the Board.

The Archbishop of *Dublin:* Not so; only tolerated for the present.

The Bishop of *Exeter:* Tolerated for the present? But it is a matter of notoriety. [The Duke of Richmond got up from his Seat.] It would be convenient if noble Lords on the front bench would allow him to proceed. He hoped, indeed he was sure, they did not mean to interrupt him.

The Duke of *Richmond* rose to order. The right reverend Prelate never rose in that House without complaining of interruption or inattention from that Bench, though the greatest attention was uniformly paid him. He, at least, had not the slightest intention to interrupt the right reverend Prelate.

The Bishop of *Exeter:* As there was

no intention to interrupt, he would suppose that no interruption had taken place. The most reverend Prelate had denied any intention to deliver over the children in Ireland into the hands of the Catholic priesthood. He was not surprised at the view which the most reverend Prelate had taken of it; but in a letter and speech of the author of the system, the right hon. the Chief Secretary for Ireland, the object was avowed to be political, and not religious, in order, by restoring the influence of the Roman Catholic Clergy, to secure a more peaceable and willing obedience on the part of the peasantry to the laws. The right hon. Secretary said, 'it might 'be true that, by the present means, they 'were giving education to Ireland, but 'would they be giving a benefit to it by 'means of that education, if it was contrary 'to the religious feeling of the country? 'But those who undertook to argue in favour 'of the Kildare-street Society were in the 'habit of saying; "only allow us to keep 'on; only continue the grants; and we 'must finally succeed." But such success 'as that was contrary to a feeling of charity, 'for it would be a success in spite of the 'religion of the people, in spite of the 'precepts of their faith, in spite of the 'dictates of the priests; and could it be 'the object—ought it to be the object—'of Government to promote a success on 'such terms as these? Their object ought 'to be, not to oppose the Catholic priesthood and the people, but to bring the 'priesthood and the people, through their 'influence, into an amicable and friendly 'relation with the Government. He 'would not then go deeper into an important subject, immediately connected with the topic he had just noticed; 'he would not advert to the means of 'drawing closer the tie which would bind 'the Catholic clergyman to the State. 'His object would be, looking to Ireland, 'and looking to it in a political view, not 'to aim at diminishing the influence of the 'Catholic priesthood, for that influence 'produced benefit to the community nine 'times for once that it yielded evil.'* It was plain, therefore, the object of the authors of this scheme was a political one—it was to make use of the Catholic Priesthood to ensure obedience and tranquillity. The Ministers sought to give additional powers to those who said that they could not, without sin, have recourse to the Bible; and, therefore, they certainly were liable to the imputation of joining with the Roman Catholic clergy to take away the Bible from the Protestants of Ireland. In fact, the right hon. Secretary was an advocate for not taking away the influence of the Romish priesthood, and wished to increase that because he deemed it beneficial to the State [*cheers*]. He scarcely knew how to understand that cheer, but if that were not the meaning of the language he had quoted, he knew not the meaning of words. If the noble Lords who cheered thought it a wise, consistent, and wholesome measure, worthy of a Christian Government, let them act upon the plan; but he could not consider such a design to be consistent with Christianity. The plan of the right hon. Gentleman was wrong upon principle, and no trial that might be given to it could prevent it from becoming at all times a just object of reprobation. It was rather remarkable, that in the Returns laid upon the Table, the answer to a Return which had been moved for by the noble Earl opposite, as to the numbers of Roman Catholic and Protestant children attending the school, was to this effect—that they could not give the Returns of their respective numbers, as their attention had been directed to the extension of education, without distinction of class or sect; thus taking away from them the means of ascertaining whether the experiment had succeeded or not. The Commissioners had, in fact, taken care to know nothing of the working of the system, and were necessarily ignorant whether the scheme they were appointed to carry into effect had failed or succeeded. The right reverend Prelate then referred to the extracts of the Commandments, as published under the sanction of the Board, and entered into another theological discussion. In the second Commandment, he said, the words "graven thing" for graven image—and the words "bow down to" were omitted; thus cloaking and hiding that idolatry which was the scandal of the Romish Church. This was still worse, as it was admitted by Mr. Carlile that the word in the original was, "bow down to." And what must be the effect of this sort of half sanction, accompanied by the circumstance that these children must be constantly in the habit of witnessing the performance of those ceremonies so common amongst the Roman Catholics, but so repugnant to the principles of all true Protestants. In his opinion this was very wrong. Protestant children under the authority of a Protestant Archbishop were condemned to witness these abominations, these idolatries, and they had put into their hand a mutilated and garbled form of the second Commandment, in which that part was suppressed which denounced the abominations they saw practised. The right reverend Prelate then proceeded to read several passages from the Catechism of the Council of Trent, and from the works of writers who were esteemed high authorities on matters of Catholic faith and discipline, for the purpose of showing that which he believed would not be disputed—namely, that Roman Catholics were instructed to consider all who differed from them as heretics and schismatics, and incapable of becoming inheritors of the Kingdom of Christ. From data such as these nothing could be more evident than that it would be impossible to devise a system of instruction which should satisfy the wants and the wishes of a community composed, as that of Ireland was, of persons of different and hostile creeds. Nothing could be more indisputable than that the Catholic children would, at all times, look upon their Protestant fellow-subjects in the light in which they were taught to consider them by the instructions they received at home and at school. If he might be permitted to call the attention of the House to the instructions which Roman Catholic children had received recently, and that which had been inculcated upon them formerly, he should show that until very lately they had been taught that they were bound to pay tithes, but now they were informed that they were merely bound to support their pastors. That was the language at present used. The Catechism formerly prescribed the confession of sins once a-year, and the payment of tithes. Dr. Milner spoke of it as notorious, that the Catechism prescribed the payment of tithes. But that instruction had been left out of recent editions of the Catechism. Bishop O'Reilly's Catechism, published in 1831, contained these lines :—

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* Hansard (third series) vi. p. 1255.

Receive your God about great Easter day,
And to his Church neglect not tithes to pay.

But an edition of this work was printed in 1832 under the sanction of the Board, in which was substituted: "And to his Church remember dues to pay." The very name of tithes which might have been inconvenient in works of elementary instruction, at present, had been carefully removed. The alteration, however, in these elementary works was not noticed by the Commissioners in the return made by them to the House of elementary works, though they professed to make a return of those alterations, and Bishop O'Reilly's Catechism was one of the books placed in their Lordships' library. Perhaps, in 1833 or 1834, if the prospects of the Roman Catholics continued to improve, the word "tithes" might again figure in the Commandment. He would not trouble their Lordships further, than by referring to one other of the returns made by the Commissioners, that of the instruction given by them to their inspectors of schools. It was there said: 'No book inculcating or 'countenancing peculiar views of religion 'is to be used. As the Holy Scripture is 'itself unhappily subject of controversy 'in this country, &c., it is not to be in'troduced during those hours set apart for 'common education.' In the year 1827, the Protestant Archbishops of Ireland solemnly declared, that it was impossible for them, consistently with their duty to that Church of which they were the highest ministers, and to the people of whose spiritual interests they were the appointed guardians, to accede to any scheme of national education which did not include the use of the Holy Scriptures as part of the instruction of the schools. In consequence of this decisive declaration on their part, while the Roman Catholic Bishops refused to permit even the ears of the children of their communion to be wounded by hearing the Protestant Bible read by the Protestant children, the scheme of that day was abandoned. If the present Government, in spite of this warning, had chosen to try an experiment founded on a principle which was thus solemnly protested against by our Archbishops in 1827, they had no right to be surprised, much less to complain, if their experiment had failed. He should not hesitate to say, that any one might have been able to to prophesy beforehand, that the proposed scheme could not succeed; and looking to the result, he should say, that that result would have fully warranted what ought naturally to have been anticipated. The scheme, unquestionably, had been a signal failure, and he believed that there was no modification of it, nor of any system not based on the whole Scriptures which could render it truly a scheme of national education.

The Archbishop of *Dublin* wished to explain. It was true that some schools under the Commissioners had been held in places of Roman Catholic worship, but that was expressly in opposition to their recent regulations—they did not allow any new schools to be held in any place of worship whatever, and where they found that their grants had been applied to schools held in places of worship, they either withdrew those grants, or took measures for causing a building to be erected so as to prevent the continuance of the practice of holding schools in places of public worship. The number which came within the description which he had been giving did not amount to more than four or five out of 500, and for all those, separate buildings were now in progress.

The Bishop of *Bristol* concurred generally in the view taken of the question by the right reverend Prelate near him (the Bishop of Exeter), and he especially assented to the important truth, that the scheme of education pursued by the Government in Ireland had proved a complete failure. If the scheme now proposed were carried into effect, what was the security that any good book of instruction would be circulated among the people of Ireland? That, however, was not the only difficulty. It was said, that there was no intention of leaving out any particular point of the Protestant translation; but many—indeed most of them—had been left out altogether; and the only one that had not been entirely omitted had been altered—he meant the word Shiloh, which had been altogether changed for an inappropriate word. If such was the conduct of the present Board at the commencement of their career, what was there to show that their successors would not go much further, and make alterations or omissions of even greater importance?

Lord *Plunkett* said, that the matter was of such importance that it could not receive too much attention from their Lordships. That was his apology for addressing them. He was perfectly convinced of the sincerity of the right reverend Prelate who had recently addressed them, and in answer to whose speech he should make a few remarks. The right reverend Prelate was, no doubt, impressed with the sanctity of the object he had in view; but in adopting means to secure it, he should at the same time have taken care not to transgress the bounds of that charity which he expected from others. Before answering the right reverend Prelate, he must say a few words upon what had fallen from the noble Earl, and in doing so, he assured the noble Earl, that he felt the most perfect respect for the noble Earl's conduct and motives. The noble Earl assumed throughout that which was necessary to be proved as the very foundation of his arguments. The noble Earl had appealed vehemently and successfully to large bodies of persons, many of whom were quite uneducated; he had come down to that House with petitions from 200,000 persons. Now, to those persons, the language the noble Earl had uniformly held was, that the course of education adopted by the Ministers would have the effect, and was intended for the purpose, of robbing the Protestants of the use of their Bible. No assertion could be more unfounded; and unfounded as it was when it was first uttered, not one attempt had been since made to prove that it was true. It was no part of this system to meddle with the system of exclusive Protestant education; it was not intended to interfere with the schools which the Protestants had already established for themselves, nor with the funds which they had appropriated for that purpose. But Ministers said, if there was to be a joint system of education, at the public expense, and for the public benefit, to be provided for the people of Ireland, there certainly ought not to be annexed to it a condition which would prevent the majority of the people from enjoying the advantages to be derived from that education. He was not surprised that any one of the 200,000 persons should say, they would not give up their Bible. But he had a right to complain that the noble Earl, after drawing his own inferences, and often drawing them most illogically, should state them to the people as facts. What fact was there that authorized him to make these statements? The principle on which the Ministers acted was, that it was expedient there should be a system of public instruction; that the unfortunate people of Ireland were not to be left, as before, but were to have an opportunity of obtaining rational, moral, and religious instruction. Any system of instruction which was not founded on these principles was defective. So far they were all agreed. Again, they were further agreed, that education, to be safely adapted to the people of that country, must be based not only on religion, but on revealed religion; and, further, that it must not only be founded in morals and religion, but on Scripture, as the authorized Revelation of the will of the Supreme Being. Then the question to be solved was, whether they could found such a system of religious instruction for the Catholics and Protestants, based on the authority of the Scriptures, as would be capable of being carried into execution. There was no noble Lord but must lament, if that were impracticable. He had, therefore, listened with the most unfeigned regret to the statement of the right reverend Prelate, who seemed to consider that no possible system could be found capable of attaining that end. The noble Earl stood quite solitary in the opinion that the people of Ireland were about to be robbed of their Bible. Extracts from it he called mutilations, and said that no person with a proper regard for his religion could endure that these mutilations should take place. When this question was agitated last Session, the Primate of Ireland—a man in every way worthy of the highest respect—met it quite differently. He did not say that the plan practically went to deprive the people of the Scriptures; he did not speak of mutilating them; but he attacked the plan, because he said it was founded upon a principle which the Church could never admit—namely, that the whole of the Bible was not made the foundation of education. If the noble Earl was right, that was an abandonment of the Protestant principle—a lowering of the Protestant standard. But that was not a religious, but a political principle; for it amounted to this; that it was inconsistent with the dignity of the Protestant Church that anything should be admitted, or any money applied for the purposes of education, except on a system to which only the members of that Church could give their assent, or, in other words, that the great body of the people of that country should not receive public education at all. All these arguments resolved themselves into this—that this was a re-agitation of the Catholic question, and amounted to saying, that the Catholic measure never should have been passed. Not an argument on that side but went the length of saying, that the Catholic was a religion which ought not to be tolerated. The right reverend Prelate who had recently spoken, took up a ground at variance with that adopted by the noble Earl; for he did not object to selections from the Scriptures, nor call them mutilations. He was too learned to make that complaint, nor indeed had ever done so; for in the former debate he said he did not object to the selection of passages; but that he had no confidence that they would not be garbled. Even that, however, was a gratuitous assumption, for nothing was then done. The right reverend Prelate had not exhibited an excess of charity to-night in the observations he had made respecting the most reverend Prelate, whose speech had been so satisfactory, able, and eloquent, and whom he called a lover of truth, but to whom certainly he had not done a superabundance of justice. Indeed the whole speech of the right reverend Prelate was deficient in no quality so conspicuously as that of charity. He had once before accused the most reverend Primate of having declared, that he saw no necessity to keep holy the Sabbath Day.

Lord *Kenyon* rose to order. The noble and learned Lord was overstepping the bounds of debate, inasmuch as he was referring to opinions published during a controversy which was carried on out of doors.

Lord *Plunkett* continued. What the noble Lord said, might show that it was not delicate for him to persevere in his observations, but by no means proved that he was out of order. He should not have thought it necessary to refer to what had before fallen from the right reverend Prelate, if it had not been confirmed by what the right reverend Prelate had said to-night—he had said, that he had been perfectly convinced that no fair extracts from the Scriptures would be made from a Board constituted as that in Dublin was. Why, there was Dr. Sadlier, of Trinity College; there was Mr. Holmes, a Barrister, both of whom were men of the highest respectability; and then there was the Archbishop of Dublin; and not one of these was likely to sacrifice Protestantism. Well, then, here were the extracts—the right reverend Prelate found fault with passages in them. Instead of the words, any "graven image," the extracts used the words "graven thing." That was mentioned as a fault. In his opinion, the latter was a more effective prohibition of idolatry than the former, for the word "thing" included "image;" but he believed, that the right reverend Prelate admitted, that the word "thing" was more correct. [The Bishop of *Exeter*: The word would bear that construction in the Greek version.] But if the Hebrew word would bear that construction, as he believed it would, then it was nearer accuracy than the common translation from the Greek. The next point on which they were called on not to give education to the people of Ireland, was the question about the word "he" or "she," in the passage about bruising the serpent's head. He had seen the word "it" used. [The Bishop of *Bristol* was understood to say, that the word was "he" in the original, but that it was "it" in our version.] It seemed, then, that both differed from the original. The note said, that in the original Hebrew the word was "it;" but it was surely hardly material whether the word "it" or "he" was used to denote the seed, for both agreed that by the seed of the woman was the serpent to be crushed. If the rescuing of millions of men from vice—if the prospect of restoring tranquillity to Ireland were to be blighted by such criticisms as these—then indeed must the Government stop in their proposed career of improvement. The noble Earl and the right reverend Prelate no doubt thought them most important, but for the life of him he could not see that they were so. Another objection was about the words "thou shalt not bow down." "Bow down" did not necessarily mean to worship, and he believed it was customary for the Canon of Christ Church, Oxford, to bow to the altar as he quitted it, so that that ceremony was not confined to the Catholic Church, nor did it necessarily show idolatry. Then there was a charge that the Government had made a league with the Roman Catholics to upset the Protestant hierarchy, and the right reverend Prelate said, that the right hon. Secretary stood by the priests in their rejection of the Bible.

The Bishop of *Exeter* begged to say, that he had used the right hon. Secretary's own words.

Lord *Plunkett*: Yes, that might be, but not without note and comment. Could anybody believe that the charge made by the noble Earl opposite with respect to this plan was, that it would overturn the present established religion? Could anybody in his senses believe such a charge? And was it not calculated to keep up the jealousy that unhappily existed between the parties of the two religions? The noble Lord who spoke first said, that the present measure was not such a very bad one, and that he objected to it because a society already existed sufficient for all purposes, from which the powers it had should not be taken. The question was, which system was the best? The Government system of education did not allow two versions of the Scriptures to be used in their schools, whilst the Kildare-street Society permitted either version to be used. Yes, that Society was guilty of everything that was now called bad and abominable, in the conduct of the Board of Education. That Society allowed a Popish version of the Bible to be used, and their masters interpreted and commented on it after their own way. They gave mutilated versions of the Scriptures, garbled extracts, and sanctioned the use of the Douay Bible. Could this be endured by the 200,000 Protestants who had risen and petitioned against the Government plan? Why, if the noble Earl who had introduced this subject had applied his powerful eloquence to rouse resistance to the Kildare-street Society, no doubt it would have been as vehemently assailed as the Government plan. But the noble Earl from some unexplained reasons approved of that in the Kildare-street Society, which he anathematized in the Government Board. It had also been argued that the proportion of Protestant children in the schools was not satisfactory. It was no wonder that that should be the case—that the number should be so small, when such unworthy means were employed to keep the children away. It was one part of the plan of the Board to assist schools and institutions by the grant of small sums; but when an application was made by the Mendicity Society, certain persons threatened that if the Society accepted the aid they would withdraw their subscriptions. Was that justice—was that anything like a Christian way of proceeding? No greater service could in his view be done to the country than that of extinguishing the jealousy which existed between both persuasions. But the way to do that was, not by men of high rank and of great authority continually spreading abroad the doctrine that the Catholic religion contained within itself principles deadly to the State. The keeping up of this unextinguishable sectarian hostility would not tend to protect that Established Church for which he was most anxious. It was terrible to think that a large portion of the Irish people, thirsting for education, were to be told that they were outcasts from the Government, and were to have no share in its advantages, none of the education which it provided funds to bestow. In the name, then, of their common country, and the charity of their common faith, he implored noble Lords to forget their mere political predilections in the cause of education—the only means of rearing up a moral, and religious, and truly Christian generation in Ireland. The cause was too sacred to be viewed through the mists of party or sectarian distinction, and the state of Ireland too loudly called out for so unexceptionable a cure for avoidable delay to be sanctioned. It was anything but just, it was anything but feeling—in the present state of that unfortunate country, to denounce the exertions of those who were endeavouring to benefit her. What right had the noble Lord to say, that they did not endeavour to protect the interests of the Protestants? And what right had he to put himself forward as the sole advocate of their rights? He (Lord Plunkett) did not know that the noble Lord's pretensions were superior to his, or that the noble Lord had done the Protestant Church in Ireland greater service than he had done. Such aspersions were the offspring of rank and bitter jealousy. He could assure the noble Lord, that in supporting the new system of education, he did so in the conviction that he was supporting the interests of the Protestant Church; and he would remind him, at the same time, that one way of causing detriment to those interests was by obstinately and pertinaciously attempting to sustain in its stead a system at direct variance with the sanction of the Legislature.

The Earl of *Wicklow* thanked the noble Earl (Roden) for the able way in which he brought before the House the present subject. It was pretty clear, from what had fallen from the right reverend Prelate and the noble Lord opposite, that the forebodings of last year had been fully verified. No contradiction had been given to the observations of the noble Earl, not even by the most reverend Prelate, who ought to know most about the matter, from the attention he had paid to the subject. The noble and learned Lord who spoke last did not appear to him to have taken a right view of what had taken place last year upon this subject although the noble and learned Lord had altogether directed himself to the proceedings of their Lordships at that period. What his noble friend near him said on that occasion had been fully borne out; and he congratulated his noble friend on having now confirmed the statements he made when he brought forward his motion. No answer had been given to the statements of his noble friend. He had listened to the statements of some of the right reverend Prelates opposite; yet he considered their observations as not in any way answering his noble friend. He would ask any man, who had seen the papers and documents alluded to, whether, in adopting a system of universal education, some difference ought not to be made between Roman Catholics and Protestants with respect to the use of the Scriptures? He considered it a national calamity that many Protestant children attended those schools; and if the system were continued, he feared it would be found, that numbers of children who entered those schools as professed Protestants, would leave them professed Roman Catholics. He would, with their Lordships' leave, read a short extract, because it expressed, his opinions in better language than he could pretend to do. It was an extract, from a work published by a learned writer and a sincere Christian. He said, in allusion to the Pagan and Christian Churches—"The Pagans have books which few are permitted to look into, whilst we are anxious that all the books belonging to us should be universally read; they were anxious to keep the people in the dark, and to stop all inquiry, whilst we were most anxious to enlighten and strengthen them." The writer then went on to compare the Popish with the Pagan religion. The former, he observed, was under the dominion of error; instead of eliciting the truth, the Papist was anxious to hide his candle under a bushel, rather than hold it forth as a light to nations. The work went on to add, "that the worst feature of the Roman Catholics was, that they prevented the due circulation of the Holy Scriptures." What would their

Lordships say when they found that this was the language of the most reverend the Archbishop of Dublin, whom they had heard upon the subject? He thought the most reverend Prelate had not duly considered the case: but that having been raised to his present high dignity, he felt himself under an obligation, and was anxious to do something for those who had raised him to it. While he said this, he felt quite sure, that the most reverend Prelate did not perceive the tendency of this system, which he and those who thought with him so justly apprehended. With respect to the noble and learned Lord, he had confined himself entirely to answering speeches which had been made last Session. He had addressed himself to the speech of the Primate, the speech of his noble friend near him, and also had honoured him (the Earl of Wicklow) with his notice. When the noble and learned Lord last took his seat, and spoke on this question, he produced vast returns of the number of children placed at these schools under the new system within a few months. But to-night they did not find that the noble and learned Lord had produced any such returns; he had made no such statement; neither had the most reverend Prelate who preceded him. He (the Earl of Wicklow) was, he confessed, surprised at this, as he thought the noble and learned Lord would have made a statement of the number of children (not Protestant he hoped but Roman Catholic) who had been placed at these establishments. Instead of this the noble and learned Lord had contented himself with contending with the right reverend Prelates as to the differences between the Protestant and Catholic Bibles. The noble Lord seemed to consider those differences to be of a light and frivolous nature; but it should be remembered that the overlooking them might cause the ruin of the community. The line of argument pursued by the noble and learned Lord on the present occasion was totally different from, not to say at variance with, the line of argument he had formerly adopted. Making alterations in any of the Scriptures, in any manner, or degree involved the most important consequences. He objected, as he had done last Session, to the introduction of the Government system of education, as it would tend to subvert the plans of that society, which was better adapted than any other to promote a united system of education. He thought it unwise to subvert the system of that Society, which was not only working well, but which had been approved of by many of the Catholic clergy themselves. The blow which that society had received from the present Government, it would be very difficult to recover from, though its management was placed in very able hands—in the hands of those most likely to do good to the Catholics. He hoped the Government would explain this united system to Parliament, and that for the future, they would say, that they applied for the grant to promote Catholic education. They might apply a portion of that grant to the education of Protestants, or of the Dissenters of the north, but keep the chief portion for the Catholics. He knew that many honest men thought that no grant should be made by a Protestant Government for the education of the Catholics. That was not his opinion, and the opposite opinion had been acted upon in the case of Maynooth. He therefore should have no objection to see the grant made exclusively for the Catholics, if it were openly and avowedly done, as he was pretty sure the Kildare-street Society could not be revived, and as he wished that children should be educated in their own schools. The Protestants—for they were generally rich—had their own schools; it was not so with the Catholics, who were poor, and who, consequently, had no means of being educated unless they took education on the terms which the Government dictated. It was, however, the duty of Government to inform Parliament that the money was for educating the Catholics, and if they continued to take it except, on that ground, they would take it on false pretences.

The Earl of *Gosford* was not surprised that Protestant children were kept away from the present schools, when such reports, prejudicial to those schools were industriously spread throughout Ireland. He had met with several Protestant clergymen of the North, who had the strongest objections to those schools; but when he questioned them, he found that their objections were not founded either on evidence or observation, but that they proceeded from mere hearsay. The system wherever he saw it tried, had most completely succeeded. He begged to mention the testimony of a reverend gentleman—the reverend John Staples, of Moville—who, as soon as he had described the new system, saw his school filled with scholars of all persuasions. The noble Earl also quoted a letter from another clergyman, in praise of the religious books used in those schools, which were so plain and well divided into lessons that they would tend much to the keeping up of true religion.

Lord *Cloncurry* agreed with the noble Earl (Wicklow) that the Roman Catholics were much more in want of education than the Protestants. He thought that the funds formerly granted to the Kildare-street School which he knew to have been misapplied, should be set aside for the education of Catholics exclusively; and he thought that their Lordships would not consider 25,000*l.* or 30,000*l.* too much for the education of all the Catholics in Ireland. They had no charter schools, they had been deprived of all the advantages of the public schools in the reigns of William 3rd and Anne, and therefore they needed assistance. The funds for the education of Protestants were large and ample, and could be increased if necessary; but those for the education of Catholics were both precarious and small. He thought that the present state of Ireland was attributable in a great measure to the priests. They were not so well educated as they formerly were, and were given to low society and low habits, so that they lost that influence which might enable them to prevent disturbances. It was incumbent on Government to make liberal grants for the education of the people, whether they were or were not of the established religion.

The Marquess of *Lansdown* would only detain the House for one minute, while he endeavoured to satisfy the House with regard to those schools. The right reverend prelate was right in stating, that these schools were only on trial, for there had not been sufficient time yet to judge of their full effects. There were already, however, in course of education in connection with those schools, 86,440 children; and as soon as the grants now under consideration were decided on, he had no doubt that the number would be increased to 120,000. He would mention the case of a school in which he himself was interested, to show how difficult it was to establish schools unconnected with this society. He founded a school in a very remote district, with every desire to give the advantages of it to persons of all religions. That school had the protection of the Kildare-street Society, the support of the landlord, and many other circumstances in favour of its success; nevertheless, from the prejudice felt against it, he found, after the experience of twelve years that it did not succeed. He found, that one-third the number of scholars did not enter which the school could contain, and he was at last obliged to discontinue it. That school was afterwards taken under the care of the Education Board, and he was shortly afterwards asked if he would be willing to increase the size of the school-house as the number of scholars which was formerly too small for the building, had become too large for it. He believed that was generally the case in the south of Ireland when the experiment had been tried. But the question really was, not whether there should be a united system but whether the poorer classes were to have education at all? He thought it but a poor compliment to the Protestant religion, paid by a right reverend Prelate, when he objected to the system, because a child, though attending only four days in the week in a school with Catholic children, and having the other three days, during which he could receive religious instruction from his parents or clergy, might thereby have his religious principles undermined, and be converted to the Catholic faith. He might take the number of children at 500,000, and of these only 100,000 received instruction at the expense of the country. But how were the remaining 400,000 educated? Were they not educated in such a way that of necessity they must have instilled into them feelings hostile to the Government? And were not these the men that an agitator would try to work on to excite disturbance? He agreed with the noble Earl (The Earl of Wicklow) that if they were driven to such a point as to admit the new system of education to be impracticable—he agreed with the noble Earl that then they would be bound, not only on the score of liberality and charity, but of political expediency, to make a full and adequate provision for the education of Catholics in Ireland; but he would not abandon a system which had been tried for such a short time—he would not abandon the advantages which must necessarily result from the early intercourse of children of different persuasions, and draw a line of distinction which would tend to alienate them from each other in after life. He would have referred their Lordships to some of the evidence laid before the House on that subject, were the hour not so late; he would then only say, that the evidence of Sir Francis Blosse proved, that the most common education had a powerful effect in preventing disturbances. That gentleman was a Magistrate and a landed proprietor; and he stated, that the principle of education, common to both Catholics and Protestants, had been attended with the best results in the county of Mayo; and that the effect of it had been to restore social order in other parts of Ireland. He did therefore hope, that a full and fair trial of this experiment might be allowed. He implored their Lordships not to look at the system as one that was already perfect, but as one, the principle of which was calculated to meet the difficulties of the case, by providing the means of education for the general population of Ireland; four-fifths of whom, not being members of the Church of England, were unable to provide education for themselves. That was all the merit which the new system could lay claim to; and he trusted that having proceeded thus far, it would be allowed to go on. He asked so much of their Lordships, without impugning the motives, or casting any reflection upon the conduct of those who considered it to be their duty to offer their opposition to this system.

The Earl of *Roden* said, it had been his wish to answer, if it was possible for him, the observations of several noble Lords who had addressed the House; but more particularly those which had fallen from the most reverend Prelate who directed the operations of the Board of Education in Ireland. The most reverend Prelate had stated that, in no instances, except four, had these schools been held in Roman Catholic chapels. He (Lord Roden) had mentioned eight or nine schools that were held in chapels; and though he had refrained from troubling their Lordships by reading the documents, he had such as would fully substantiate that fact. He was satisfied of the correctness of the information he had received on that point. The most reverend Prelate had forgotten to state how many of these schools were held in old nunneries and monasteries; but he knew that there were no less than forty-six schools held in places appropriated to the exercise of the Roman Catholic faith. The noble and learned Lord, the Chancellor for Ireland had said, that he (Lord Roden) had stated, at different meetings which he had had the privilege of attending in Ireland, on the subject of Irish education, that the people of Ireland were deprived of the use of the Bible by his Majesty's Government. Although he had always contended that this abominable system was contrary to the principles of Protestantism, he had never said any such thing as that which the noble and learned Lord imputed to him. What he had said was, that by this system of education, the children were deprived of the use of the Bible in the schools. That he re-asserted without any fear of contradiction. The noble and learned Lord maintained, that every proper system of education must be founded on revealed religion. He agreed fully with the noble and learned Lord in that opinion; and therefore he was opposed to the system adopted by his Majesty's Government. The noble and learned Lord had also referred to a right reverend Prelate, as if that right reverend Prelate was wanting in Christian charity, and said, further, that their hostility to this system had arisen in consequence of opposition on the Catholic question, and because he and his party were disappointed in their views on that matter. The noble and learned Lord who professed so strong a feeling of charity himself, ought to allow to persons acting on honest principles, the credit of good motives. It had never been his opinion that the Roman Catholic clergy were not to be tolerated. What he had said was, that the Roman Catholics ought not to receive encouragement; the noble and learned Lord must admit, that there was a great difference between toleration and encouragement. What he complained of was, that this system of education did go to encourage Catholicism in Ireland. On another point, the sentiments of the noble and learned Lord had given him great pain: he meant those which he expressed in answer to the observations of a right reverend Prelate, who contrasted the different versions of the Scriptures promulgated by the Board, with the authorized version. He had heard with great pain the observations of the noble and learned Lord on that subject; because, in the belief that the seed of the woman, and not the woman herself, was to bruise the serpent's head, the whole of the question rested. He regretted the arguing of so solemn a question on the part of the noble and learned Lord, because, in the thorough belief of it rested the only hope of obtaining everlasting life. The noble and learned Lord had also referred to meetings held in Ireland, which had been attended by 200,000 persons. He could not remember ever to have attended any such meeting. He had certainly met large bodies of persons; but the noble and learned Lord said they had amounted to 200,000 persons ready to take up arms for him. [Lord *Plunkett* had stated that the noble Earl represented the 200,000 persons whose petitions he had presented.] But the noble and learned Lord had also said, that they were ready to take up arms for him. He might have said so in haste, and not meant to make such an assertion. The noble and learned Lord had also charged him with having raised an outcry in Ireland against this system of education. Whatever statements he had made on that subject, he was ready to reiterate at any risk, because the subject was in his view of vast importance. The noble and learned Lord could not understand why he had put himself forward as the only Protestant Peer. He had stood forward in defence of Protestant principles in that House, and he should be totally unworthy of a seat in it, if he, in any way whatever, flinched from his duty in such a cause. He trusted he never should flinch from protecting the interests of the people, be they Protestant or Catholic. The noble Marquess (The Marquess of Lansdown) had stated, that he had received a return of the number of children educated in these schools, which he said was 87,000. He was not surprised at that fact; his wonder was, that the number was not greater, he was sure that the number would increase, and he lamented it from his heart, because he considered it would be destructive of the best interests of the country. He did not mean to enter into a defence of the right reverend Prelate (the Bishop of Exeter), which would be most presumptuous on his part; but he was sure he never said, that the mere contact of Protestant children with Roman Catholic children, in these schools, would lead to the contamination of the former. What they had both stated, was, that it was unfair towards the Protestant children, that these schools should be held in chapels, nunneries, and monasteries, where Protestant children could not attend, without witnessing the forms and ceremonies of the Catholic Church. He trusted, their Lordships would give this matter their most serious consideration—convinced, as he was, the more the subject was inquired into, the more objectionable would the system complained of be found to be.

Petitions to lie on the Table.

HOUSE OF COMMONS,

Tuesday, March 19, 1833.

Minutes.] Papers ordered. On the Motion of Sir John Hobhouse, an Account from the Commissioners of the Court of Requests, Westminster, of the Sums of Money paid into those Courts by Debtors, and remaining unclaimed by Creditors, from the 31st December 1821, to the 31st of December 1831.

Petitions presented. By General Palmer, from Bath,—for the Better Observance of the Sabbath.—By Sir Hyde Parker, from Cromer and two other Places, against Slavery; and from Thedwastry, Thingoe, and Roxbridge, for a Repeal of the Duty on Taxed Carts.—By Mr. Cuthbert Rippon, from Gateshead, complaining of the Administration of the Affairs of their Corporations. By Colonel Maberly, from Chatham, for the Emancipation of the Jews.—By Lord Clements, from Gowell, for the Abolition of Tithes; and from Carlisle and three Places in Ireland,—against the Disturbances (Ireland) Bill.

Abolition of Slavery.] On the Speaker calling on Mr. Fowell Buxton, Lord *Althorp* rose to request his hon. friend not to bring forward to-night his Motion regarding the abolition of Slavery. He apprehended that it would be disadvantageous both to the question and to the House, if it were introduced at the present moment; he hoped, therefore, that his hon. friend would be induced to defer it, until the plan which his Majesty's Ministers had to propose could be made known.

Mr. *Fowell Buxton* replied, that no man was more conscious than he was how much better it would be for the subject to be introduced by Government, and he was willing to relinquish his Motion upon two conditions—First, if Ministers were prepared with a plan for the entire and immediate extinction of slavery; second, if they would name a day when they would state that plan to the House. He might be thought very obstinate, and he was far from wishing to impede the measures of Government, but he well knew his fate if he consented to abandon the ground he at present occupied. Until June next there was not a vacant day in the Order-book, and, after Easter, the great questions of the Bank of England, of the East-India Charter, with the distress of England, Ireland, and Scotland, besides finance, would remain to be discussed. To postpone his Motion, therefore, would in effect be to abandon it. Now, he was convinced, that it was absolutely indispensable that this question should be settled; and further, that if it was not settled, and speedily settled, in that House, it would be settled elsewhere, in another and more disastrous manner. However painful, therefore, it might be to him to appear to be obstinate, and to resist a request which had been before made to him in private, and which was now in this manner urged publicly upon him, he must refrain from consenting to withdraw the Motion, unless the noble Lord would tell him that the Government agreed to two conditions. The first was, that the noble Lord should now state the nature of the plan which the Government intended to propose; and the second, that they should fix a day for the introduction of their measure on this subject into the House. If they did not do these things, he should feel himself compelled, in spite of all the objections he felt to such a course of proceeding, to enforce his right of bringing on the consideration of this subject immediately.

Lord *Althorp* observed, that one of the conditions proposed by the hon. Member was that with which it was impossible he should comply; but with respect to the other—the naming of a day on which the Government proposed to lay their views on this subject before the House, he had no objection to state it. He should name, then, Tuesday, the twenty-third of April. He trusted, that the hon. Member would see that he should not be performing his duty if he were to state more at the present time.

Mr. *Fowell Buxton* said, when he spoke of bringing on the question immediately, if the nature of the plan in contemplation of the Government was not then stated, he had used expressions which conveyed more than he meant to say. He only intended to obtain from the Government a pledge that a measure should be speedily introduced, and he trusted that it would be safe and satisfactory. He was content to rely, in the meantime, on the assurance of the noble Lord, and should, therefore, withdraw his Motion for the present.

Motion postponed.

SUPPRESSION OF DISTURBANCES (IRELAND).] Lord Althorp moved that the Order of the Day for the House to resolve itself into a Committee on the Suppression of Disturbances (Ireland) Bill be read.

Mr. *Thomas Attwood* said, that he should take this opportunity of moving, "that this House do suspend all further proceedings on the Irish Bill until the remedial measures proposed by his Majesty's Ministers be passed into a law."

The *Speaker*, interrupting the hon. Member, informed him, that he could not regularly propose an amendment, upon the question of reading the Order of the Day; he must wait till the noble Lord made the Motion to go into the Committee.

The Order of the Day read.

Lord Althorp moved, that the House resolve itself into a Committee.

Mr. *Thomas Attwood* said, reverting to his Amendment, he must say, that he entertained the strongest fears that the remedial measures for Ireland would never become the law of the land; but that, as he had said before, was not his only reason for proposing his Amendment. They had now been assembled for nine weeks, and all that they had done in that time had been to get into the Committee upon this Bill. The great work of English legislation had been totally neglected for it; and, in his opinion, there was greater danger at present of public disturbances taking place in England, than there was of public disturbances taking place in Ireland. He knew that there was great discontent among many millions of our own countrymen, and knowing that, he called upon Ministers to pause in their proceedings upon this Bill, and to turn some part of their consideration to other subjects, besides that of applying coercive measures to Ireland. He thought that Ministers could entertain other subjects better now than they could a month ago, as every arrival from Ireland tended to prove that that country was now quiet. Was it not notorious that ten of the persons accused of the murder of Mr. Leonard were now in custody? Was it not notorious that Mr. Steele—by some deemed an agitator, by others one of the pacificators of Ireland—was now submitting to a legal prosecution? Did they not read in every newspaper, that at all the Assizes in Ireland business was going on well? Did they not read, that the Judges in their different charges, were congratulating the

Grand Juries that everything looked favourable; that Juries and witnesses were each and all performing their duty unshrinkingly and fearlessly, and that there was nothing like intimidation influencing their decisions? He, therefore, thought, that these coercive measures for Ireland might be postponed, in order to let English legislation go on. He could not see that any great injury would arise from the delay which he proposed; and if Gentlemen could only see this matter in the same light in which he saw it, they would postpone the further consideration of these coercive measures till the remedial measures had become the law of the land. If they did not see those remedial measures passed first, they might depend upon it that they would never see them passed afterwards. At any rate, as those measures were proposed as a boon they ought to proceed at least *pari passu* with those measures which were intended as a punishment. He then proposed his Amendment, but informed the Committee, that he would not give them the trouble of dividing upon it, unless he saw them actuated by a desire such as he felt, of placing their opinions on this subject upon record.

Mr. Hume seconded the Motion.

Mr. *Stanley* said, he knew not what might be the private information received by the hon. member for Birmingham from Ireland, which induced him to suppose that that country was returning to a state of tranquillity; but the information which he received officially was, that the disturbed districts, instead of becoming quieter, were becoming more and more disturbed; and that, although great and sudden changes had taken place, with regard to the intimidation of witnesses and Jurors at these Assizes, so that some convictions had taken place, still the outrages were actually on the increase; and he was satisfied that every day they delayed to pass this Bill, they were rendering life and property less secure in that country. On that House, if it further delayed the measure, might be charged, not the loss of life, but the evil of increased outrages. He trusted, that the same reasons which had induced the House to consent to the introduction of a measure that must be repugnant to the feelings of every man, would induce them to support it now that it was introduced, and pass it with the least possible delay; so that they might give to Ireland, as soon as possible, the certainty of that protection, which the peaceable inhabitants of the country did not now enjoy.

Mr. *Harvey* could not agree to the suggestion of the hon. member for Birmingham. He called upon Irish Members to withdraw their hostility to this Bill; and, by so doing, propitiate the feelings of the people of England, who all felt alike upon the subject of their opposition. He sincerely hoped, that the hon. Members who had so ably and so honestly opposed the Bill hitherto would cease their opposition, and allow it to pass, in order that the House might proceed to the discussion of those countless subjects on which the public mind was so stedfastly and so anxiously fixed. Let the responsibility of the measure be upon the heads of those who advised it, and by whose instrumentality it had passed into a law.

Mr. *O'Connell* would not have said one word had it not been for the observations of the right hon. Secretary for Ireland, and of his hon. and learned friend, the member for Colchester. He totally disclaimed the advice which his hon. and learned friend had given him to relax in his hostility to this Bill. He should feel himself guilty of a dereliction of positive duty were he to permit a single guard of the Constitution to be trampled under foot upon the tyrant's plea of necessity—a necessity, by-the-by, which did not exist—without appealing to the British public against the atrocious law which warranted it. As it was now to be proposed to the House to pass a clause abolishing the trial by Jury, and substituting the trial by Court-martial in its stead, he would not listen to any amendment, but would try the question fairly upon the principle. He would divide the Committee upon this point—"Trial by Jury, or no trial by Jury; Court-martial, or no Court-martial." In one instance he would confess that he was obliged to confirm the information which the right hon. Secretary for Ireland had just given the Committee; but in another instance he must totally contradict it. He denied, that outrages had recently increased in Ireland; but he was sorry to say that his information led him to believe that a worse spirit now existed in Ireland than had ever existed there before; a spirit of detestation against all the upper classes now influenced the lower classes of Ireland, because they supposed that their superiors had entered into a combination against them. He took that opportunity of warning the right hon. Secretary against producing by his measures a servile war in Ireland. He reminded the right hon. Secretary that Ireland was not the Isle of Wight nor the Isle of Man, but a country containing 8,000,000 of inhabitants, the most easily defensible of any country in the world, and filled with a brave population. On the heads of the Government be the responsibility of this measure. He was only doing his duty in announcing to the Ministers the malignant spirit by which the lower classes of Irishmen were animated against the higher, and the total want of confidence in the aristocracy, magistracy, and gentry which their present conduct in procuring such a law as this was producing in Ireland. As to the upper classes, he must say, that they were now executing the law with the utmost firmness—he might say with the utmost rigour. There had already been, at the late assizes, more than one conviction which had not been satisfactory to the Judges, for the Juries, instead of refusing to convict the guilty, were rushing into the opposite extreme, and were even convicting the innocent. There was no shrinking from their duty at the last assizes, either on the part of witnesses or Jurors. Indeed, there had been repeated convictions at the late assizes in Ireland which could not have taken place in any other part of the United Kingdom. Let him say this for his valued friend Mr. Steele, that though he was now bound to abide his trial at Kilkenny, one of the learned Judges who travelled that circuit had, in a case where two men had been found guilty of Whitefeet outrages, declared that he would transmit to the Government a favourable report of what Mr. Steele had stated on their behalf—namely, that they had given up their arms to him at his request before they were arrested on the charge upon which they had just been convicted.

Mr. *Henry Grattan* also entered his protest against being interdicted by any hon. Member from opposing the present Bill. His opposition was in order to have that Bill amended, and save the present Government from the odious situation they would be placed in, if it passed with its obnoxious clauses untouched. If it so passed, the upper classes in Ireland would feel themselves most sensibly wounded, in being reduced as it were to utter insignificance by the introduction of Courts-martial.

Mr. *Cutlar Fergusson* coincided with the remarks that were made by the two last hon. and learned Members. He reprobated the idea of allowing any bill to pass without the House making it as unobjectionable as possible. The House was not justified in throwing the responsibility of the measure on the Ministers if the House could improve it. It was their duty to amend the Bill, and the time for doing so was whilst it was passing through the Committee.

Amendment negatived. House went into Committee. Question put on the ninth clause of the Bill.

Mr. *Stanley:* The Committee was now arrived at that clause of the Bill which gave to the Lord Lieutenant of Ireland in the proclaimed districts, with those additions of power which they had given to him in districts not proclaimed, to prohibit or suppress any meetings deemed by him to be dangerous to the public peace, or inconsistent with the due administration of the law—the power of not allowing any meeting for petitioning Parliament, or for discussing any alleged grievance in Church or State, without he received a previous written notice of ten days, specifying its object, and without he had given his assent to it. In framing this clause, Government had drawn this distinction between the proclaimed and the non-proclaimed districts, that, whereas in the districts not proclaimed, the Lord Lieutenant was to have the power of suppressing by this proclamation only such assemblies as he deemed to be dangerous to the public peace, or inconsistent with the due administration of the law, he was, in the proclaimed districts, to have the power of assuming that any large congregation of persons for the purpose of petitioning Parliament or discussing any alleged grievance, in which inflammatory topics might, and probably would be used, was *primâ facie* dangerous to the public peace, and could not be permitted, unless such an explanation of its objects were given in writing as would justify him in giving it his sanction. When this clause was on a former night under discussion, the hon. member for the town of Galway had pressed upon the Government, and Government had felt the justice of his suggestion—that there ought to be some exception made in favour of meetings which had been duly summoned and convened by the High Sheriff or Lord Lieutenant of any county. It was, therefore, his intention to state at present the clause which Government had determined to propose, to carry the suggestion of the hon. member for the town of Galway into effect. Formally, indeed, it could not be proposed till the Committee had got through the existing clauses of the Bill; but the clause which Government intended to propose as the 10th clause of the Bill would make certain exceptions from the 1st and 9th clauses of the Bill. He would now read the clause which he intended to propose after this 9th clause. It was as follows:—"Provided always, and be it enacted, that nothing in this Act contained shall extend, or be construed to extend, to prohibit, or to enable the Lord Lieutenant or other chief governor or governors of Ireland to prohibit, in any county, county of a city, or county of a town, whether in any proclaimed district or elsewhere in Ireland, any meeting which shall be duly convened by the High Sheriff, Lieutenant of such county, or by the Lieutenant or Chief Magistrate of such county of a city or county of a town." This proviso would apply equally to proclaimed and unproclaimed districts; but as the object of Government was, that there should be no restriction upon the right of petitioning, and that the inhabitants of every district should have the power of making their opinions known to the Legislature, it had been deemed right to introduce this limitation for the proclaimed districts: "Provided, nevertheless, that in any proclaimed district it shall not be lawful for any person not being resident within the county, barony, half barony, parish, or district for which such meeting shall be convened, to take part in, or be present at, any such meeting; and that any person taking part in, or being present at, such meeting, and not being resident as aforesaid (save and except any Magistrates, constables, or others charged with the preservation of the peace), shall be deemed and taken to be guilty of a misdemeanor." He thought it right to make this statement before the Committee entered upon the consideration of the 9th clause, as it might, perhaps, have some influence upon the opinions of hon. Gentlemen, and save the time of the Committee.

Mr. *O'Connell* defied the right hon. Secretary, or any man else, to point out any disturbed district in which political meetings had been held. In those districts where political meetings had been held there had been no disturbances. There was no place in Ireland, or indeed in the United Kingdom, so peaceable as the city of Dublin, which had been the very focus of what was called political agitation. He was not inclined to recommend the holding of public meetings in the proclaimed districts, as they were calculated to create collisions between the army and the people. He objected to the words of the clause, "and the consent in writing of the Lord Lieutenant or other chief governor or governors for holding such meeting, signified by such Chief or Under Secretary." These words he considered altogether unnecessary, and he would move that they be omitted, though he would not take the sense of the House upon the question.

Amendment negatived, and the clause ordered to stand part of the Bill.

The 10th clause empowering the Lord Lieutenant, or any person authorised by him, to commission officers of the army in Ireland, not being under the degree of a field-officer, to hold Courts-martial for the trial of offenders under the Bill, was then read.

Mr. *Stanley* said, that before they went into the consideration of this clause, he felt it incumbent on him to lay before the House several material provisions that had been resolved on, which, without diminishing the efficiency of the Bill, would meet some of the objections which hon. Members connected with Ireland had made to it. Those provisions were proposed in order to render military tribunals as little liable to be abused as possible. Two or three of those modifications had been already mentioned to the House. The first was, the removal from Courts-martial of officers of low standing and little experience. This was done by not permitting any officers to sit on Courts-martial who had not obtained the rank of Captain. He would announce another more important alteration. Great objections had been made to the officers of those tribunals, that their duty would lead them to seek out and apprehend culprits, and after being harassed night and day, they might, it was asserted, come to those tribunals deficient in that impartiality and coolness which persons in a judicial capacity ought to possess. To meet those objections it was thought expedient that no officer on active regimental duty, who might be instrumental in having offenders apprehended, should sit on those Courts-martial, before which such offenders might be tried. The third alteration had already been stated by his noble friend beside him, and required that there should be a greater majority for conviction than the mere majority which was enough on ordinary Courts-martial. Moreover the courts were not to be empowered to adjudge the punishment of death; nor even to try for a capital offence, without the special leave of the Lord Lieutenant, and even then they were not, on a conviction, authorized to pass sentence of death. The proviso which would be introduced for this purpose would enact, that where the court should consist of nine members, seven should concur in the finding, and when there were less than nine, five at least should concur. This would be an additional security against the want of due consideration before the court agreed in its verdict. There would also be another difference between these and ordinary Courts-martial, that the sentence could in no instance be executed until the finding and sentence had been submitted for revision to a higher authority; and while referring to proceedings under former Courts-martial in Ireland, he would incidentally notice, at the request of the gentleman who had written to him on the subject, a statement made by the hon. and learned Gentleman, the member for Dublin, respecting the case of Sir Edward Crosbie. The hon. and learned Gentleman had read a letter purporting to be from the son of that gentleman, in which he thanked him for having vindicated the memory of his father. He had since received a letter from the son of Sir Edward Crosbie, in which he disclaimed having written any letter, or made any communication to the hon. and learned Gentleman on the subject. When he stated this, he by no means meant to accuse the hon. and learned Gentleman of having stated anything which he himself did not believe to be true. The hon. and learned member for Dublin had read what had been sent to him, he made no doubt. But the son of Sir Edward Crosbie denied having wished or authorized any hon. Member to vindicate his father's memory, whilst he had sufficient proofs of being able to do so himself. Above all things, that gentleman did not desire that his father's innocence should be contaminated, as he deemed it would, by mixing it up with matters that related to political agitation. The Amendment to which he had called the attention of the Committee would do away with the danger of any such injustice, because no sentence whatever could be carried into execution by these tribunals, except with the sanction of a higher authority than themselves. He would now beg the Committee to turn to the 15th clause of the Bill, to which his Majesty's Government meant to move some Amendment. They thought where Amendments were necessary, or where they thought they could meet the wishes already expressed by Gentlemen, of making such Amendments as in their opinion did not depart from the principles on which the Bill was founded, that it would be best to propose the Amendments at once, rather than to wait till the different clauses came before them in the course of the discussion. He would, therefore, beg of them to turn to the fifteenth clause, which provides, "That it shall and may be lawful for every such Court-martial, from time to time, to issue such orders as to such Court shall seem fit, for bringing before them any person charged by order of the Lord Lieutenant or other chief governor or governors of Ireland, or by some person duly authorized by him or them for that purpose, with any offence by this Act made cognizable by such Court, or for executing and carrying into effect any sentence, so confirmed as aforesaid, of any such Court respectively, which orders all Sheriffs, Justices of the Peace, Gaolers, Constables, Officers, and Ministers of Justice, and other persons to whom the same shall be directed, and to whom the execution thereof shall rightfully and properly appertain, shall, and are hereby required, to execute, enforce, and obey." It had been objected to that clause, that it would be desirable that no executive power should be given to the Courts-martial (he would use that name in speaking of these tribunals, though, strictly speaking, they were not Courts-martial in their constitution), and his Majesty's Government concurred in thinking, that it would be proper to limit the jurisdiction of Courts-martial so far as that they should be Judges of the fact and offence only, and proposed, therefore, that instead of leaving it to Courts-martial, to throw the whole power and responsibility on the Lord Lieutenant, or those persons directed by him, to bring persons accused of offences before Courts-martial, leaving to the Courts-martial the power only of taking cognizance of such cases as might be brought before them. He would next go to the consideration of the class of offences to be brought before the Courts-martial. He admitted, that it was desirable that no jurisdiction should be given to them which might interfere with ordinary civil processes, and it was therefore proposed by his Majesty's Government, that all offences should be taken from under their jurisdiction which were not strictly of an insurrectionary character, or which were not accompanied by violence, or threats of violence, as well as all cases which involved complicated points of law—which it was always desirable should not be brought under the cognizance of a military tribunal. With that view they proposed to except from the operation of the 17th clause of the Bill (which made persons liable to be prosecuted for offences contrary to the 27th George 3rd), all offences, even if connected with conspiracy or insurrection, when these offences were committed without violence or threats. But Ministers not only intended to take from the Courts-martial the jurisdiction in that class of offences, but to take from them the jurisdiction in another class of offences, which were always nice and complicated—and they meant to take it from them, whether the offences were connected with seditious matters or not—he meant the jurisdiction in questions of libel, because his Majesty's Ministers thought, that questions on the Law of Libel were not, in any instance, fit to be brought before a military tribunal. They therefore proposed to exclude all the offences enumerated in the 21st clause of the Bill, which gave Courts-martial jurisdiction over them. He meant to propose, that after the 17th clause, the following words should be inserted:—" Provided always, and be it enacted, that nothing in this Act be considered to give power or jurisdiction to any Court-martial to try any person or persons charged, or to be charged, with publishing, or causing to be published, or hawking, selling, or disposing of any seditious hand-bill, paper, or pamphlet, in any proclaimed district, or confederating or conspiring contrary to the provisions of an Act passed in the Parliament of Ireland, in the 27th year of the reign of George the Third, or for the trial of any civil right, unless such confederacy or combination shall be accompanied with force, or threat of force." By this Amendment, they would not only exclude such offences as were not strictly insurrectionary from the operations of this Bill, but also such offences as were made capital under the Whiteboy Act; and persons guilty of them would remain liable to the operation of Common Law. Having made these Amendments, they then proposed to alter the beginning of the tenth clause, and instead of the words, " and for the speedy and effectual trial and punishment of the several offences mentioned or referred to in this Act," to insert—" And whereas the ordinary tribunals for the administration of justice in the proclaimed districts have been found inadequate for that purpose, be it therefore enacted," He believed he might say, that Courts-martial were likely to be put in requisition in very few districts, but the power of having such tribunals at the disposal of Government would of itself be of great service, and would tend to prevent the necessity on the part of Government of putting the more rigorous parts of the Bill in execution. He would not, however, enter into further defence of the Court-martial clause, but would leave it to the Committee, having stated the grounds and principles on which his Majesty's Government thought themselves justified in making the alterations which he should move at the proper time. He had then only to move the Amendment he had mentioned in the beginning of the clause.

Mr. *O'Connell* said, that if he had been aware of the statement which had been made by the right hon. Secretary, he should have brought down his letter-book, in order that he might show the right hon. Gentleman and the House the letter from Sir Edward Crosbie's son, on which he had founded his statement. He begged to ask the right hon. Secretary the name of the son who had written to him?

Mr. *Stanley* could not then say, but he should be able to state to-morrow. It however was not of much consequence, as the same statement had been sent to several of the Irish papers, and appeared in them. The writer, he believed, stated himself to be the eldest son of Sir Edward Crosbie.

Mr. *O'Connell* said, that the letter which he received was dated "Liverpool," and signed "Edward Crosbie," and that it contained a letter from the rev. Archibald Douglas, rector of Kilcullen, in Kildare. It mentioned that the writer was in distress. As Mr. Douglas was a clergyman high in the Church, and the brother-in-law of an Irish Peer, he thought that he was justified in making use of it; and it was impossible for him to suspect that it did not contain a true account of the writer.

Mr. *Stanley* did not, in the slightest degree, impeach the statement of the hon. and learned Member. The writer had, however, requested of him to take an opportunity of making the statement which the letter contained, in his place in that House, and he had accordingly done so. He did not know any of the parties concerned, further than from the circumstance in question.

Amendment agreed to.

The Clause read.

Mr. *Cutlar Fergusson* rose to oppose the whole of the clause. He should fail in doing justice to himself if he did not state, that he considered the introduction of that part of the Bill as entirely hostile to all the principles of the Constitution. It took away the trial by Judge and Jury —that boast and safety of every Englishman. He admitted, that a case might be made out of such urgent necessity as to justify the Government in doing away Trial by Jury for a time, but the consideration of such a case was not then imposed on them. He opposed the clause, in the first place, because there was no precedent for such a measure. It was true, that Martial-law had been introduced into Ireland during the rebellion, but it was only during the rebellion, which could supply no precedent for the present measure, for there was no instance of its being introduced at a time when there was not only no insurrection, but a state of profound peace. He, therefore, thought it his duty to oppose it on the score of precedent. It had been asked what tribunal could be adopted in place of Courts-martial? But it was unnecessary to consider that question, because a case had not been made out which warranted them in departing from the ordinary law tribunals. Not a letter, not a fact, not even the statement laid before the House by the noble Lord, justified them in such a course. It had been admitted by the noble Lord, and the fact ought never to be forgotten by the House, that the noble Lord had not brought one case before them where Jurors had not done their duty. And there was only one case mentioned in which it was attempted to be shown that Jurors were intimidated or threatened. He begged the Committee to remember, that it was not sufficient to justify such a measure as that before them, to say, that Jurors were afraid (and even of that there was only one instance adduced), but it must also be made out that the Jurors were deterred from doing their duty by those fears. But no hon. Member had ventured to state, that in consequence of that intimidation, any Jurors had been induced to give a false verdict. He called, then, upon the House to pause before they agreed to that clause —a clause which abolished the Trial by Jury, that boast of Englishmen, and delivered over a large portion of their fellow-subjects to the power of a military tribunal. It was not sufficient to say, that there was a degree of insecurity of property in Ireland which was not felt in this country. Every man in Ireland felt, that neither life nor property was so secure as it was in other countries; but that was no sufficient apology for the abolition of the Trial by Jury. In order to justify such a step, intimidation of the Jurors was likewise necessary. And what evidence had been brought of that intimidation of Jurors? Only one case—that of Carrickshaugh; and any one reading over the evidence in that case, must be satisfied that the Jury could not help feeling a doubt as to the verdict they should give. He thought, then, that he had shown, that there was no evidence on which to rest a case which would justify the abolition of Trial by Jury. He would, therefore, go into the consideration of the jurisdiction of the Courts-martial which it was proposed to substitute in their stead. These Courts-martial could take cognizance of capital offences. He was much mistaken if they could not take cognizance of capital offences. [Mr. *Stanley:* They cannot take cognizance of capital offences, except by the recommendation of the Lord Lieutenant.] The power to enable them to take cognizance of capital offences he would not give to the Lord Lieutenant. He objected to giving such a power to the Lord Lieutenant or any other man. But Courts-martial were entitled to find parties guilty of capital offences; and the effect of that conviction was, the forfeiture of goods. So that, by this Act, these Courts-martial were to have the power, not only to banish, but to forfeit the goods of every culprit. The establishment of Courts-martial was objectionable in another view. It took away from the prisoner, not only Trial by an impartial Jury, but that assistance which every prisoner had a right to expect, and generally received from the experienced Judge before whom he was tried. This assistance was of great service to prisoners; and without it, he should consider the Trial by Jury almost a curse. And how was it in the Courts-martial? There was a Judge Advocate who was to assist the prisoner. But that Judge Advocate was the person who by law issued the warrant against the prisoner—he was the prosecutor—he had to examine the evidence before the warrant was issued—and it was on his opinion of that evidence that the prosecution took place. Was it likely that a man who had all these duties to perform should not be impressed with an unfavourable feeling towards the prisoner? Could he, at the same time, act as his prosecutor and assistant? On these grounds, he objected strongly to Courts-martial and he objected to them further, because he was afraid that the establishment of them might lead to the total subversion of Trial by Jury in that country. There was another part of the Bill to which he had strong objections, and that was the irresponsibility of those tribunals. By this Act they were declared irresponsible, for in the 26th clause it was stated "that all officers non-commissioned officers, and soldiers, who shall act under any such power and authority, shall, for and in respect of any thing done under such power or authority in any such proclaimed districts as aforesaid, be responsible to Courts-martial to be holden under any statute in force for holding Courts-martial, by which Courts-martial respectively they shall be liable to be tried and punished." So that these Courts-martial were to be specially exempted from the effects of any illegal acts they might commit under the Bill. That, they all knew, was not the case with ordinary Courts-martial, as those officers were responsible to the ordinary tribunals of the country for any illegal acts which they might commit in the exercise of their duties; and there was at least one instance (that of Sir Charles Ogle, who was fined 1,000*l.* for an illegal act) in which officers were punished for such conduct. But that responsibility was all done away with by the present Bill, and he felt astonished that his Majesty's Ministers should have thought it necessary to make such a provision. He considered the introduction of the Bill as the greatest blow ever given to the Constitution. No case similar to it had ever come before that House—no such powers had ever been introduced into an Act of Parliament. It had been said by the noble Lord, and by several of the hon. Gentlemen who supported him, that in making an inroad on the Constitution, the further they should go the better. He begged to declare, that in all the books he had ever read, and in all the speeches he had ever heard spoken in that House or elsewhere, he had never seen or heard any doctrine which astonished him more than that, or which was more contrary to the generally received opinions on the subject. He had always understood that the doctrine inculcated by those who understood the Constitution most thoroughly, was, that it should be carefully dealt with, and that where an inroad was occasionally necessary, it should be to the least extent possible. He was decidedly opposed to making such extensive infringements on the Constitution, and was very much inclined to believe, that they would not be received elsewhere with the implicit consent which they seemed to meet with here. The proposed system was abhorred by the Irish universally, from their recollection of the horrors it occasioned in former periods. If carried into effect, it would prove the most efficient method possible of wholly alienating the minds of the Irish people from us. It could not be expected that they would regard the army there as a guardian angel intent only on the preservation of peace and order, but on the contrary, it would be looked upon as the vindictive instrument of persecution.

Colonel *Davies* said, it was with much reluctance that he found himself compelled to support the Bill, in consideration of its absolute necessity. He could not, however, suppress his conviction, that if Government had resorted to the vigorous exercise of their power at the time when these unfortunate disturbances commenced, there would not have been the slightest necessity for the proposed measure. The Ministers had no excuse to offer for this neglect. They had been urged, implored to do so, over and over, again and again, from every quarter. Not longer ago than last July there had been a representation made to the other House on the state of Ireland couched, almost *totidem verbis*, in the same language, as the representation on which his Majesty's Ministers had founded the present Bill. Not only had they refused to listen to these imploring representations—they had bitterly aggravated existing evils by the production of that most atrocious measure, the Bill for the compulsory recovery of tithes: and when they had thus brought the people to a state of despair, they came and asked the House for remedies of a nature against which every feeling of humanity revolted. But this was not a time to canvass the past conduct of Ministers. The great object was the present state of Ireland, a country where all order and tranquillity appeared to be at an end—the course of justice obstructed, jurymen assaulted. He only stated what he had heard. He did not say, that these representations had been proved; neither had he heard any proof to the contrary. At any rate it appeared that Jurors were intimidated, if not assassinated. Though he was opposed to the system of Courts-martial in general, yet let it be borne in mind that this was a case of no ordinary necessity. At the same time, he by no means saw that any such tremendous dangers were to be apprehended from the operation of Courts-martial as hon. Members seemed to fear. They had protested against the violation of the Constitution, but could it be denied that the violation of the Constitution had commenced in Ireland? Who could read and hear of the appalling state of that country and doubt this? No man, he would repeat, regretted the necessity for establishing these tribunals more than he did, and nothing but a deep sense of their absolute necessity could have induced him to permit them. It was supposed that officers in the Army, from their education, their position, and their habits, must necessarily be inclined to despotic measures; he was far from concurring in these views. He thought that Gentlemen who were called upon to act in a country where they had no political or family connections, and who would be therefore free from party bias, he thought that such men would be much more likely to do their duty impartially than men brought up in the midst of the factions of that unhappy country, and whose minds and judgments were never free from the most baneful party prejudices. He had been rather surprised at an inconsistency exhibited in argument by the hon. and learned member for Dublin. That hon. Member had objected to these officers on the ground that they would probably mix in social intercourse with the country gentlemen, and be biassed in their judgments accordingly. Whom did the hon. and learned Member propose to substitute? Why, those very country gentlemen themselves—nay, he proposed to enforce their attendance under the penalty of 500*l*. It had been also objected that the gentlemen in the Army laboured under legal incompetence; but this tribunal was not to try any questions of law, nor questions of property; nor was it to try political offences; but merely to try whether A or B had or had not engaged in illegal meetings. He thought the officers of the Army were at least as competent to judge of the law on that point as the small farmers. But the members of this tribunal were not left entirely to their own judgment, for they might have the advice of the Assistant Barrister. He was as much attached to Trial by Jury as any man; he considered it the palladium of English liberty: but when he looked at the state of Ireland, he saw no liberty there and no remedy for the present state of disorder, but passing the present Bill. If it was impossible to find within the pale of the Constitution anything efficient, they must have recourse to an unconstitutional tribunal, which nothing would induce him to consent to but the urgent necessity of the case. Hon. Members seemed to be afraid that the Ministers, if they once got this coercive measure, would no longer trouble themselves about remedial measures; but this fear was most unfounded, for the very existence of Government depended on fulfilling its pledges, and the Ministers were solemnly pledged to remedial measures.

Mr. *Tayleure* observed, that some of the remarks made on the subject of those military tribunals appeared to have excited considerable irritation. If it had been asserted, or insinuated, that an English officer would act from a feeling of prejudice, such a remark ought, undoubtedly, to raise a feeling of indignation. At the same time he must assert, that the capacity of men for one thing, and incapacity for another, entirely depended on their education and habits. Therefore, however undoubted the uprightness and purity of intention of the officers of the Army—and no person could doubt them—yet they were very likely to fall into unintentional errors on points of law. Officers in the army could not be suspected of corrupt motives or intentional partiality, but he was afraid that when obscure evidence was given in those military courts it was not at all unlikely that serious mistakes would occur. He feared, also, from the attachment of officers to the Government, that there would be a tendency to consider every accused man as a political adversary. In making these observations he merely wished to express the opinion that military men were not free from those infirmities of nature to which other individuals were subject.

Mr. *Perrin* could not give a silent vote on this part of the Bill. In his conscientious judgment he believed it to be unnecessary; in his conscientious judgment, he was convinced that it not only would not effect any good, but would be productive of the greatest mischiefs. He gave his Majesty's Ministers all due credit for the ground on which they brought the Bill forward placing their measure on the only basis of necessity; and he agreed, that, if they made out this case of necessity, if they established the fact that without the Bill there would be no protection for life and property, and no means of supporting social order, they were entitled to the Bill, or rather, not they, but the people were entitled to it. But the question was, whether this clause and the provisions connected with it were thus indispensably requisite? This alleged necessity was grounded upon evidence offered to the House, showing that Jurors had been intimidated, witnesses threatened; and it was therefore contended that these extraordinary tribunals must be resorted to. It was admitted, on all hands, that Courts-martial were a remedy which ought not to be resorted to, without absolute necessity called for them, as they were both arbitrary and unconstitutional. If this necessity could be proved, then Ministers had made out their case; but if it could not be proved, the measure was most grievously tyrannical. After giving due credit to all the statements relative to the alleged intimidation of Jurors, he did not find that the Ministers had made out any case on this point, except as regarded the Carrickshaugh murders. This case he gave them credit for, but it stood alone; and was not its influence counteracted by the cases of Clare, of Queen's County, of Kilkenny, and by all the cases of the present Assizes. Was the solitary case of Carrickshaugh to outweigh all the others? Did Ministers think, that there was no efficacy in other provisions of the Bill? Were not the clauses already agreed to sufficient to put down agitation? Were they not sufficient to protect life and property, prevent midnight outrage, and secure tranquillity? They had made an immense increase in the military and constabulary force, and in the police, sufficient to preserve peace. If the other enactments were sufficient, what was the use of this clause of the Bill? If these powers were not efficient, what could the Courts-martial do? There was another Bill in progress—a Bill to which he should not refuse his consent—the Bill to change the Venue. These powers being obtained, what more could be wanted? With these they would have everything necessary to secure the due administration of justice. In no instance could it be proved that a Jury had failed in committing any individual under a criminal prosecution. The witnesses would not be less intimidated when Courts-martial were established than with ordinary Courts; and it surely was not intended to convict men without hearing witnesses? Other Courts had been suggested, but he was not favourable to Courts composed of barristers. He made no objection to Courts-martial on account of the officers not being men of honour and integrity; but he objected to summary tribunals. In the ordinary Courts the prisoner had the assistance of a learned and enlightened Judge—of a person who knew the laws and the rules of evidence. He objected to these Courts, that the officers were not fit to discuss and decide nice points of evidence and nice questions of law. What nicer questions could there be, in fact, to come before a Judge, than those which related to evidence. He sought for no other tribunals—he was willing to abide by the old tribunals of the country. They had been asked to suggest other Courts—he would suggest none; but he would say, let there be a continued Session of the Peace. Let there be barristers appointed to relieve each other, and so the Sessions continued by regular adjournments. He objected to this as a hazardous experiment; he respected the law, and he therefore objected to setting it aside by this Bill. He had been pleased by the declaration of the right hon. Gentleman, that this law should not be executed unless it were necessary. He sincerely believed that declaration; but he had a right to infer from the admission, that the law was not immediately necessary. He did not like the precedent, though he knew it had been said that it was made so wide a departure from the Constitution, because it might not be followed, and that it would not be followed. But that doctrine had been held on other occasions. It had been often repeated, and often refuted by the events. This doctrine had been referred to in 1829, when Earl Grey had objected to the Bill then introduced; but what did he say, in his opening speech, when he introduced this Bill to the House? Why, that the part of it which related to seditious meetings was merely a renewal of the Act of 1829. Another question which had been put was, would he submit to Courts-martial, or to Whitefeet and Volunteers? He would submit to neither. The law was strong enough at present, if it were fairly, fully, duly and impartially administered. Man was always corrupted by power, and he objected to intrusting men with power which must make them disregard the common law of the land. It was the duty of that House to make the law not on the principle that it would not be abused by good men, but on the principle that it should not be perverted or misapplied by weak or wicked men.

Mr. *Rolfe* wished to state the reason for his vote. He had been at first much and decidedly opposed to the clause, but, at length, after listening to the debates, he had become a reluctant convert to it, and meant to give it his support. He was prepared for the taunts implied in the cheers of hon. Members opposite, but he knew no silliness of folly equal to, and no cowardice greater, than that of persevering in error for the fear of being thought afraid. His conscience dictated the course he meant to pursue. The hon. Gentlemen opposite thought, by their taunts, and almost by their threats of asking what the people would think, to deter Members from their duty. Those who supported the Bill were accused of being ignorant of Ireland, but the conduct of the Gentlemen who opposed it showed that they were ignorant of the feelings of England. If they were blinded by their antipathy to the Bill, to suppose that there was little feeling in England to support the measure, they were mistaken. There was a strong feeling in England—a feeling of indignation at the time the Bill had occupied. He did not go along with that feeling. He thought the Gentlemen who opposed the measure were bound to sift it and weigh it as much as possible. Another feeling certainly had existed; it was thought that this clause was a severe clause, but that feeling had died away. It was the duty of the Representatives to state why they supported this clause, and he would do so. The hon. and learned Gentleman who spoke last had relieved him from one great difficulty. The hon. and learned Gentleman had stated, that if there was not to be Trial by Jury, he did not know what better could be substituted. The hon. and learned Gentleman had proposed none, and said he knew none better than military tribunals. If that were admitted, on that reasoning, as soon as it was shown that Jury trials were not safe, then military tribunals were justified. If it were admitted that Jury-trial could not take place, and none other were suggested than military tribunals, they must be had recourse to. It was enough for him to satisfy himself that it might be necessary to find a substitute for Jury-trial, as the hon. member for Monaghan admitted, to justify the military courts. Might they not be necessary? That was the question. It was said, that it was not proved that Jurors had been intimidated; but it was the part of wisdom to be as well satisfied by *a priori* reasoning, as by the evidence of facts. Intimidation had been practised against all other classes; no man in Ireland was a free agent; and were, then, the Jurors the only class that were exempt from intimidation? But there was evidence of intimidation. Carrickshaugh was a case of this kind; but that was not enough; the administration of justice ought not to be suspected. The right hon. Secretary had mentioned that in Clonmel 288 names were called over before a Jury could be impanelled. The hon. member for Drogheda said, that it proved nothing more than that the Jurors would not come forward. If it were indolence only, it might be excused; but when murder was stalking through the land, was not that an occasion when indolence should be overcome? Again, at Kilkenny, fines were levied to the amount of 20*l.*, 30*l.*, and 50*l.* before the Jury could be compelled to attend. What was the cause? Was it anything but intimidation? At least, they could not get Juries, and not getting Juries, should they not provide some other means for the Administration of justice? He, for one, could not think of calling upon persons to administer justice at the risk of danger to their own persons. He, for one, had been slow to form the opinion that military courts might be substituted for Jury-trial, but he saw no other resource. He was aware of the reverence in which trial by Jury was held in England—a reverence which he did not wish to shake; but the source of that reverence was to be found in the fact, that over the Jury there presided a Judge, a venerable, respected man, who summed up the evidence, and made a charge to the Jury before they finally decided. He should wish, however, to see some modification of the clause. In Courts-martial there was a Judge Advocate, and he recommended that the Judge Advocate should be empowered to sum up and recapitulate the evidence, so as to fulfil in some measure the functions of a Judge when charging the Jury. He was justified, he thought, in supporting the clause; it was necessary to give the Government additional power, and he meant to make his vote conform to his opinion.

The Earl of *Darlington* took a different view of the subject from that taken by the hon. Member who had last addressed the House. He was not surprised at the jealousy exhibited upon the subject of Trial by Jury, but thought if they were to have Courts-martial at all, their efficacy should not be frittered away. The alterations introduced by the noble Lord (the Chancellor of the Exchequer) appeared to him to render the Courts-martial nugatory. He did not think that these latter tribunals should be so far assimilated to Juries as to require anything approaching unanimity in their decisions. He admitted, that no class was more respectable than that from which Jurors were usually taken, but they were of a different class from officers in the army, who would not be so disposed to yield up their opinions to others, as would be the case with individual Jurors. He objected also to the admission of Counsel into Courts-martial for professional purposes. The precedent which the Bill would in this way establish, might prove very injurious. It tended to alter the whole military law, as it related to—Courts-martial. If the alterations recently proposed by the right hon. Gentleman were to form part of the clause, he should certainly oppose it altogether.

Major *Beauclerk* opposed the clause. The members of Courts-martial were all more or less under the influence of the Horse Guards [*No, no*]. He would repeat the assertion, that all Courts-martial were indirectly under the influence of the Horse Guards [*No, no*]. He would prove his assertion [*"It is impossible."*] He would assert, that when first he went into the army there was a great difference between the decisions of Courts-martial and their decisions at present. He had often witnessed with the deepest indignation persons flogged till their flesh was torn from their backs. He asked if that were not the fact? Was it not true, that men were not now flogged as they were formerly? When he first joined his regiment at Halifax, there was scarcely a morning when he was not dragged from his bed to witness the men of his own regiment lashed till the flesh was torn from their backs, or when his sleep was not disturbed by the cries of men belonging to other regiments who were suffering the same torture. He asked, was that the case now? No. Where 100 lashes were inflicted formerly, not one was inflicted now. The Courts, however, were the same—the law was the same—and what, then, had produced the alteration in the decisions of the Courts? Orders, he asserted, orders from the Horse Guards. Formerly cruelty was thought praiseworthy—now it was discountenanced. But why? Because the humanity of the people of England had increased, and the people were against it. He remembered the exertions of the worthy Baronet opposite to denounce the hateful practice of flogging; and those exertions had led to issuing orders which had modified the decisions of Courts-martial, though the law remained the same, and the offence was the same. He knew that the same thing had taken place in the navy. He, then, would not give power to men who were under the influence of the Horse Guards. It would tend to establish a despotism, and bring ruin on the country. He denied that the effect of the Bill would be what was anticipated, and instead of facilitating, it would impede the administration of justice in Ireland. He looked with as much horror to the scenes of bloodshed which were now visible in Ireland as any man, but military tribunals would provoke irritation and increase the disorder. He therefore must oppose this part of the Bill in particular, as indeed he opposed the whole measure. It might produce a temporary calm, but it would only be of short duration.

Lord *Hotham* referred to the assertion of the last speaker, that Courts-martial were always under the influence of the Horse Guards, and left it to the House to decide whether what the hon. Member advanced had at all established his position. The subject of military flogging had been improperly and unfairly introduced into the discussion, especially as the seventeenth clause of the Bill expressly prohibited the Courts-martial from inflicting that species of punishment. He did not mean to complain that Ministers had thought it right to make very recent alterations in the Bill, the nature of which had been stated by the right hon. Gentleman; but at the same time, he did not think that they would make the measure more palatable to its opponents, while they would materially impair its efficiency by rendering the influence of the military tribunals less powerful, and less extensive. It now appeared that a number of officers of rank were to be sent over to Ireland to aid in the trial of offenders, but it had not been stated in what way they were to aid those trials—whether they were to preside, or whether they were to form the whole body of the Court. Upon this point, therefore, further information was necessary before the House could decide upon the probable extent of their utility. At all events, he thought, since the militray tribunals were not in fact Courts-martial, that the (to some) objectionable term "Court-martial" might be omitted in the Bill. The constitution of the tribunal was in several respects different from that of a Court-martial, and it was a point not unworthy consideration, what effect might be produced upon soldiers by this new institution, which applied a different mode of administering the law to one class of the King's subjects to that which was applied to another. He (Lord Hotham) feared the effect of so wide a distinction upon the minds of the military, and he begged to know from the Secretary at War, whether it was intended to introduce a corresponding alteration in the Mutiny Bill in favour of the army?

Mr. *Edward Curteis* could not admit that the Horse Guards influenced, in any way, the decision of Courts-martial. He believed if the Horse Guards attempted any thing of the kind, these Courts would have come to the very opposite conclusion. He had himself served in three different regiments, and in all there had not been so much punishment inflicted during the whole time he served, as had been exercised in the single regiment mentioned by the hon. Member.

Mr. *Warburton* was not at all afraid lest by this Bill the soldier should be converted too much into a civilian, for he thought the effect of it would be the very reverse. A noble Lord had said, that Courts-martial were more enlightened tribunals than the ordinary Courts; but if such were the case, which he denied, still there was a strong and a vulgar prejudice, in England at least, in favour of a man being tried by his peers. A Lord liked to be tried by Lords, and a peasant felt more confidence in a Jury consisting of persons of his own station. It was true, that a sentence equally just might proceed from a military as from a civil tribunal; but it was not sufficient that the sentence should be equally just; it ought also to appear to the people to be likely to be equally just, in order that there might be general confidence in the tribunal. He doubted whether this confidence would be reposed in a military court; or, rather, he was satisfied that it would not. He asked why persons accused before Courts-martial were not to be allowed the benefit of counsel? In a marching regiment, where for military offences it was necessary to attain *festinum remedium*, it might be inconvenient to allow of counsel for the accused; but he did not see that there existed a like difficulty in the case of civilians brought before a military court, which was held in a fixed place. He begged to take this opportunity of repeating a question he had put to the noble Lord (Althorp) on a former night, and to which it was important to have an answer before the Committee came to a decision on this clause—namely,whether the sentences of Courts-martial might be sent back for revision? When political feelings were excited, and the passions of men heated, it was more than ever necessary that persons accused should be surrounded with every species of protection, and the fitness of it was established by the celebrated case of Thomas Hardy.

Sir *John Dalrymple* said, that he did not remember to have heard it asserted on any former occasion that Courts-martial were under the influence of the Horse Guards. The gallant Officer (Major Beauclerk) had said, that he did ~~not~~ allude to individuals, but still it was the duty of every officer who had the interest of the service at heart, to protest against such statements when he knew them to be unfounded. It was very hard upon the Ministers now to blame them for the introduction of alterations which they had made at the suggestion of hon. Members on both sides of the House, who had proposed them as improvements. No man could entertain stronger objections than he did to this measure; and it was only within these few days that he could bring himself to lend it his support. He felt convinced, however, from what he had heard as to the state of Ireland, in the course of the discussions upon this Bill, that it was necessary to intrust the Government with strong power.

Colonel *Peel* reprobated the assertion that Courts-martial were in any way influenced by the Horse Guards. It was not fair to draw any inference as to punishment in the army from what the gallant Officer (Major Beauclerk) witnessed in Halifax, for that gallant Officer then belonged to the worst regulated regiment in the whole service. The hon. Member had betrayed the greatest ignorance as to the constitution of Courts-martial. It was impossible that punishments could be at all times equal in severity for offences of the same kind. When it became necessary to make an example for the purpose of preserving discipline, a severer punishment might be inflicted than was usually apportioned to similar offences. He was as averse as it was possible to be to flogging in the army, and nothing could induce him to be reconciled to it but a conviction of its indispensable necessity. The gallant Officer had on a former evening when he was not present, stated that on Courts-martial junior officers were known to yield up their opinions to those of officers of superior rank. The hon. and learned member for Dublin had said, that Courts-martial, and officers of regiments generally, were sometimes influenced by party feelings—that the Major had his party, and the Colonel his party. There was, however, no such thing in any well regulated regiment. If he were conscious of innocence, there was no tribunal he would sooner be tried by than by a Court-martial.

Lord *Althorp* said, with reference to the question of his hon. friend the member for Bridport, as to the course to be pursued in case the Lord Lieutenant disapproved of the sentence of a Court-martial, his answer was simply this—the Lord Lieutenant would have the power of decreasing the punishment, but not of increasing it. It had been asserted that he (Lord Althorp) not having brought forward any case of outrage against a Juror, had abandoned the argument to be derived from the intimidation of Jurors. That inference did did not follow; it was not necessary to come forward with a case of a personal attack on a Juror in order to justify the inference of intimidation and alarm sufficient to prevent the jurors from discharging their duties properly—an inference fairly deducible from the outrages and disturbances generally prevalent in Ireland, and which rendered it impossible to administer the law with effect by means of the ordinary tribunals. Besides, there might be intimidation even in cases where persons were, perhaps, properly acquitted, as in the Carrickshaugh trials. That case clearly showed intimidation of Jurors. But if the general mass of the people were intimidated, how were Jurors to escape the influence of the general feeling? If the class of farmers from which petty Jurors were selected, experienced the effects of intimidation, Jurors could not be exempt from apprehension. With respect to the present clause, it constituted the main part of the Bill, and if it were omitted, the adequate protection afforded by the quick punishment of offences would be entirely done away. Much had been said about the incompetency of military officers to decide such nice questions as might be submitted to them under the Bill; but he did not conceive that nice legal questions would ever come before them. What they would have to decide was, whether or not a man had been guilty of a particular offence; and it could not be pretended that it would require much legal subtlety or acumen to determine yes or no on a plain matter of fact. He saw nothing in the objection of the noble Lord

(Lord Hotham) with respect to the assumed discontented feelings of the military at seeing the distinction made between the operation of Courts-martial in civil and military cases, because soldiers would, in all cases still continue to be tried as usual. He frankly admitted the abolition of Jury-trials to be a great evil; it was a thing only to be defended on grounds of necessity, which had been clearly demonstrated in the present case. It was said that, at the present Assizes, Jurors attended and convictions took place; he was glad to hear it, but the circumstance did not form a conclusive argument against the Bill. The state of society in Ireland with respect to outrages and unlawful combinations continued such, that assuming no feeling of intimidation to exist among Jurors, at present (rather a violent assumption by the way), there was no security against a speedy revival of such feelings.

Mr. *Sinclair* referred to the exemption of political offenders from trial by Courts-martial, and declared that it appeared to him a hard and unjust measure, to give one sort of tribunal to the rich and another to the poor. This was binding the poor in chains and the rich in cobwebs. With respect to the supposed necessity for the measure, he had seen no proof that the ordinary tribunals were inadequate to the enforcement of the law. He would vote against the clause.

Mr. *Wynn* had not hitherto expressed an opinion as to this Bill, and he should not trespass on the attention of the House, did he not feel called upon to make some observations on the clause under consideration. He was aware that it was necessary for him to confine himself to the details of the Bill; but he begged leave to state, in a few words, his opinion as to the propriety of introducing this measure. When he remembered the arguments adduced by hon. Gentlemen on both sides —when he recollected the statement of his right hon. friend, the Secretary for Ireland—fortified as it was by the statement of his noble friend, the member for Nottingham, (who had given, on this subject, the most important information) he felt bound to express his concurrence with the opinion of the majority of the House—that it was absolutely necessary to intrust the Government with the large additional powers they demanded. With respect to the particular clause under consideration, he regretted that the term "Court-martial" had been applied to the tribunal about to be instituted. In point of fact, it was not a Court-martial, but a tribunal novel in its construction. He was not surprised that the observation of the hon. member for Surrey should have excited warm feelings in the breasts of Gentlemen belonging to the military profession; and he certainly was extremely surprised to hear the hon. Gentleman assert, that the officers of the army, sitting in those courts, were unduly influenced by the Horse Guards. Was it possible, that those who recollected the severity of the punishments in the army twenty years ago, and considered what they were now —and who reflected, also, how seldom, comparatively speaking, they heard of the infliction of punishment at all, could for one moment imagine that there was anything like a desire on the part of the officers of the army to curry favour, at the head-quarters of their profession, by pronouncing severe sentences? Did the gallant Member suppose that, while such improvements had been taking place in all the rest of the community, the officers in the army alone had stood still? It was obvious that the effect of public opinion had been to lead to a mitigation of punishment, both as regarded the civil and the military law; and he should cast a stigma upon the officers of the army if he could entertain the opinion of Courts-martial which the hon. Member had expressed. Looking to the tribunals to be constituted under this Bill, he thought that there was a great inconsistency in applying the term "Courts-martial" to them. The tribunal differed from the Court-martial as much in its machinery as in the nature of the law which it would have to execute. He was sorry, also, that the term "Judge-Advocate" had been retained; for these courts were to try criminals, not by military law, but by the common law of the land. Those, however, who were to constitute the court, and were confessedly unused to administer the common law, should have some legal assistance; but it should not be given by the person conducting the prosecution. He would much rather have a Serjeant-at-law, or a King's Counsel, as President of the court, whose duty it should be to sum up the evidence, and state the law on the case, and the duty of the Judge-Advocate should be solely to conduct the prosecution. Counsel were to be allowed to cross-examine witnesses; and, yet it was intended that the examination of the witnesses for the prosecution, and the cross-examination of the witnesses for the defence, should be performed by the Judge-Advocate. Now, it was hardly possible that he who had objected to questions, and whose questions had been objected to, would have the same character of impartiality as if he had not taken such a part in the proceedings of the court. He, therefore, would much rather that the President should act merely as assessor and legal adviser of the court; and, on these grounds, he thought it desirable that Government should either name a person to conduct the prosecution, or allow the Judge-Advocate to do that, and appoint a legal gentleman of eminence to preside in each court. He must, also, take notice of an alteration in the constitution of these courts, which he was surprised had been introduced, and considered as a boon, and as rendering these tribunals less objectionable than Courts-martial—he alluded to the principle of restricting the members of the court to officers of the rank of captain. Now, in the ordinary course of things, a sufficient number of officers of that rank could not be brought together to form a court, without detriment to the service. Therefore, he presumed it was—that Government had adopted the plan of sending officers over from this country for the express purpose of forming these tribunals. That arrangement appeared to him to be open to the most serious objections. He thought that it would be infinitely preferable to let the officers form these courts in the usual way. He was satisfied, that the plan now proposed would be open to the worst charges. It would be said, that the officers were picked out from the half-pay, instead of being taken in the regular course of service, from a desire to forward the views of Government. It would be said, that if the officers did not find their verdicts in conformity with the wishes of the heads of the army, they would be removed from full-pay to half-pay. He would have much rather had the clause as it originally stood; and would have allowed subalterns to be upon these courts, of more than twenty-one years of age—provided that they had been two years in the service. He did not think that it was necessary, that a man should be many years in the service to qualify him for the discharge of the duties of a member of a tribunal of this nature. If a person were qualified to sit on a grand or petty Jury, and to perform any civil act, he was surely qualified to sit on a Court-martial. He mentioned these things, not with a view to embarrass the Government, but because they seemed to him to be of importance. He would only add, deeply as he regretted it, that the Government had made out a case which rendered it necessary to grant these powers. He had never, upon any occasion of this grave nature, allowed party-feelings to influence his conduct; and whether he had been acting with Government, or not, he had never refused to grant, in times of emergency, additional powers, on the responsibility of Ministers. It appeared to him that it was a principle of the Constitution, that as, in ordinary times, a great degree of liberty was allowed, so in seasons of emergency, Parliament must have the power to suspend the liberties of the people, and to grant additional powers to the executive. In throwing out these suggestions he was now only influenced by the wish of rendering the measure as efficient as possible.

Mr. *Abercromby* said, he had hitherto given his support to Ministers on this measure, but now they had come to the Court-martial clause he found it impossible for him to support it; indeed, he meant, however painful it was to him, to oppose it, and he begged leave to state shortly on what ground he opposed it. The question was, had a necessity for so severe a measure been shown? This was by far the weakest part of the Bill. No attempt had been made to answer the evidence adduced, or the powerful arguments used by the hon. and learned member for Dublin against this clause. He (Mr. Abercromby) really could find neither such amount of intimidation, nor such systematic efforts to carry it into execution, to satisfy his mind that they were justified in pronouncing the ordinary tribunals of the country inefficient. Nor could he agree with the argument which he had often before heard used, that when you over-stepped the limits of the Constitution, you should do it boldly. He confessed, that though he had heard attempts to justify that doctrine, they had little effect on his mind—he was not convinced by such arguments—but, on the contrary, considered that whenever the barrier of the Constitution was passed without sufficient reason, without the direst and most manifest necessity, a gross injustice was committed on the rights and liberties of the nation. It had been argued that this was really a measure of humanity; for although the Bill operated as a measure of terror, it was humane in deterring men from guilt. The argument had no great effect on his mind; but he answered, that whilst they confined themselves within the limits of the Constitution, they would carry along with them the sympathy of all considerate and reasonable men. By having recourse to a system of terror, they would find it a source of weakness, by its increasing discontent and dissatisfaction. The Assizes now going on, particularly the convictions at Kilkenny, justified him in asserting, that means could be found to enforce the law without resorting to such dangerous provisions as were contained in that clause. He was very glad to hear that his noble and his right hon. friends entertained a hope that it might not be necessary to put this obnoxious part of the Bill into practice. He certainly approved of the suggestion, that whenever a district was proclaimed, a person of authority in the law ought to be sent to that district; and that it should be only after all the ordinary means of rendering justice had been resorted to, that the extraordinary means authorised by the Bill should be carried into execution. This ought, in his opinion, to be one of the first considerations with his right hon. friend, immediately after the passing of the Bill, as thereby the most odious part of the measure might be avoided. He pressed this the more on his noble and right hon. friends, because he entertained a deep and overwhelming conviction, that there could not be a more dangerous and mistaken policy than to make use of officers of the army in cases in which the political feelings of the people were concerned.

Mr. *Stanley* had listened with the deepest attention to his right hon. and learned friend. He need not say, that for his right hon. friend's character he entertained the highest respect. It was not only, however, his respect for his right hon. and learned friend's private character that made him regret to find his right hon. and learned friend differ from his Majesty's Government respecting a point on which they had felt it their painful duty to adopt what appeared to them to be the only expedient course, but because he also felt, that whatever fell from his right hon. and learned friend must, under any circumstances, have great weight with that House. In one part of his right hon. and learned friend's statement, he had not done justice to his Majesty's Government—he meant that part in which his right hon. and learned friend alleged that his Majesty's Government had not done what his right hon. and learned friend thought, and what he (Mr. Stanley) thought, they ought to do—namely, to reserve a recourse to military tribunals as the last resource, when all other modes of administering justice had failed; and, above all, not to mix up military tribunals with any considerations of a political nature. Now, that was precisely the provision made by his Majesty's Ministers on the subject. Wherever there was the appearance of any offence involving considerations of a political nature, his Majesty's Government had, unasked, unpressed, but from their spontaneous feeling, struck that offence out of the list of those of which the military tribunals were to take cognizance. All offences connected with libel, with seditious publications, with political meetings, and with the Press, they had at once struck out. Was it, then, quite fair on the part of his right hon. and learned friend to impute to his Majesty's Government an attempt to constitute these military tribunals for political purposes. Good God! what were the political offences which these military tribunals were to investigate? Whitefoot outrages, burglaries, robberies, houghing of cattle—all abuses and violations of the rights of property, carried on by an organized force, paralysing the ordinary law, and intimidating the timid and weak; such were the political offences which were to be submitted to the cognizance of these military tribunals, for Courts-martial they were not, in the ordinary sense of the words. With respect to intimidation, he should have been very much astonished if any Irish Member had stated that there was none existing in Ireland. There was different evidence on different points; but there was no point on which there was stronger evidence than that the middle and lower classes in Ireland evinced the greatest reluctance and alarm at the idea of being compelled to attend on a Jury. With respect to the unprecedented number of Jurors at the late Assizes at Kilkenny, he confessed that he had no confidence in these sudden conversions. If a more healthy tone had gradually appeared—if there had been gradually less alarm and more confidence, then he should have said there was some plausibility in the argument founded on the large attendance of Jurors in question. But when they saw at one Assizes that it was almost impossible to obtain any Jurors—when the Civil Court was almost deserted—when only six weeks ago it was predicted, that no Jury could be found to convict persons charged with offences; and when he found, suddenly, that on the introduction into Parliament of a measure which was to be productive of the greatest restraint on the lawless and the turbulent, and on the agitators who at present exercised so extensive a power over the people—when he also knew how important it was to the latter to endeavour to produce an impression that the provisions of the Bill were unnecessarily harsh and severe—he confessed that he derived from the sudden and rapid influx of Jurors at Kilkenny anything but satisfaction and confidence. He read in it the complete and systematic organization of a plan to prevent the law from being rendered effective. If, however, he were driven to the other argument, and if the Bill had already struck a salutary terror into the evil-disposed, and imparted a salutary confidence to the well-disposed, in that statement he saw an argument not against passing the Bill, but in favour of passing it. Adverting to the character of Juries, he observed that, with reference to Coroners' Juries in Ireland, it was notorious, that in many cases they were actuated by a determination to find one and only one verdict. The hon and learned member for Tipperary had said, in answer to his noble friend—and the statement had been confirmed by the hon. member for Limerick—that the petty Juries were not taken from the lower classes. The fact was, that the Sheriff was compelled to look not only at the property of those who were to be the Jurors, but also at the neighbourhood in which they lived; and was compelled to take care that they lived in houses like fortifications, and were able to defend themselves from the populace. How greatly was the argument urged against the Bill on the ground of constitutional right weakened by that fact. For where was that principle of constitutional security which declared that every man should be tried by his Peers? It had been urged that the gentry had not come forward. They had come forward, and had occupied places not only in the Grand Juries to which they belonged, but in petty Juries, in the absence of persons better suited for that station. All this was undoubtedly wrong; it was in fact trying the people by the aristocratical class. But, in the existing circumstances of Ireland it was unavoidable; and the fact that it was so, weakened the argument which was founded on the suspension of the Constitution by the Bill. It was recommended by his right hon. and learned friend, that, in lieu of Courts-martial, the Lord Lieutenant should send down a kind of standing Commissioner into the disturbed districts to try offenders. There was nothing in the Act to prevent the Lord Lieutenant from doing this. He would go further, and would say, that, if there were reason to believe that a Special Commission could effect the objects which the Bill was intended to effect, he perfectly agreed with his right hon. and learned friend, that it would be infinitely better to retain the ordinary than to adopt any extraordinary tribunal. But if, week after week, it should appear, that this was not the case—if, week after week it should appear that only the higher classes could come forward with impunity, and that the lower classes could not attend as Jurors before a Special Commission without great risk and odium, then surely it was right to give the Lord Lieutenant, in the last resort, the power which the Bill under consideration conferred upon him. Under such circumstances, it appeared to him to be infinitely better, on the part of his Majesty's Government, to come forward boldly and ask Parliament: "Have you sufficient confidence in us to place this formidable measure in our hands?" With respect to Special Commissions, the only time at which they could be advantageously resorted to, was when parties began to give way, and when information flowed in to an extent which it was sometimes frightful to contemplate. Once let that corner be turned, and a Special Commission might be productive of great benefit. His Majesty's Government had sent a Special Commission to the Queen's county. That Commission had been successful, as far as convictions went, but it had not been successful in breaking down the existing system. But, said the hon. and learned member for Dublin, why did you not send a Special Commission to Kilkenny? He could tell that hon. and learned Member, that a strict inquiry had been made into the state of the prisons, into the means of information, and into the probability of obtaining convictions; and that if there had been any chance that prosecutions would have been successful, the Judges would have been instructed to proceed from Maryborough to Kilkenny; but there was none. Intimidation, as affecting Courts of Justice, was still prevalent. It was true, that there had been convictions. Yes, right or wrong, there had been convictions. Guilty and innocent had been convicted indifferently. Jurors had come forward and convicted, under what influence he knew not, and would not say. This he would say, however, that not one case in twelve, sent to Juries by Government, although on what appeared to be certain evidence, had been successful, for that in not one case out of twelve had the witnesses appeared; and that in not one instance in twenty had any case been substantiated, except by the evidence of the police alone. If this did not show the existence of extensive intimidation in Kilkenny he would abandon his argument. As conclusive evidence of the existence of intimidation, he would refer to the case which had lately been quoted by the gallant Colonel, the member for Sligo. A witness examined before the Committee on the state of Ireland, was asked—"To what do you attribute the state of insubordination which exists in Ireland?" The answer was—"Do you insist on my telling you?"—"Do you object?"—said the Committee. "I do," replied the witness; "for if I were to answer, and to answer correctly, you know well that my life would not be safe." So satisfied were the members of this Committee—Irish Members be it observed—of the validity of this objection, that they struck out of the evidence the answer of all answers most elucidatory of the very point they were investigating. It had been said that it would render the officers of the army obnoxious to place them in a judicial situation in Ireland; and that they would be subject to the imputation of being biassed and partial. Now it happened that the hon. member for Waterford had yesterday let out this important fact, namely, that if a choice were given to the great mass of the population of Ireland by what tribunal they would be tried, their answer would be, that they would be tried by a tribunal constituted of officers of the army. So far as the feelings of the people of Ireland went, Courts-martial were not there considered a more invidious sort of tribunals than Courts of Justice. For his own part, considering the state of Ireland, he could not take upon himself the responsibility to which he would be liable, if his Majesty's Ministers did not come to the House for some such powers as were proposed. They threw themselves on the House, and trusted that it would place such confidence in them, as to believe that they would not abuse those powers, which nothing but painful necessity could ever have induced them to ask for.

Mr. *Sheil* denied, that the right hon. Gentleman had answered the right hon. Gentleman, the member for Edinburgh, whose opinion, expressed in opposition to his party, would make a great impression upon the House. The right hon. Secretary asked to be trusted with this authority upon a pledge that it would not be abused; but he (Mr. Sheil) was not ready to intrust arbitrary power to any one, unless a complete case was made out. Was the House convinced that the Lord-lieutenant or the right hon. Secretary would remain in power till Autumn? They were, perhaps, about to leave the Bill as a legacy to Tory successors. Was it just, if he (Mr. Sheil) inflamed the people by his speeches, if they were excited by libels and seditious newspapers, that he and others, who were the causes, should be tried by Juries, and the wretched peasantry only be subjected to Courts-martial?

Captain *Berkeley* read a letter which he had received from a Magistrate of the county of Kilkenny, corroborating the statement of the right hon. Secretary for Ireland. That Gentleman stated distinctly that the loyal attended the present Assizes at Kilkenny, from a wish to suppress the disturbances in their county, and the disloyal from a desire to make the country believe that there was no intimidation practised upon them. He was himself an ardent lover of freedom, but he was convinced that this clause was necessary for the protection of the unoffending and peaceable inhabitants of Ireland against the lawless and the disaffected. His opinion was, that a case had been made out by his Majesty's Government. The disease under which Ireland was labouring was severe, and therefore it was necessary to apply to it a severe remedy.

Mr. *O'Ferrall*, in reference to the letter read by the preceding speaker, asked the House what opinion they ought to form of the judgment of a Magistrate who set himself up as a judge of the loyal and the disloyal in the county wherein he resided. If the Juries in Ireland had been base enough to shrink from doing their duty, he would have granted Ministers the power which this clause proposed to give them; but the contrary was the fact, and he must, therefore, pause before he confided to them a power which nothing but the most urgent and palpable necessity could justify. He would pass this Bill without the Court-martial clause until the end of the present Session, and if at that time it were proved, that the Juries of Ireland had not performed their duty manfully and honestly by their country, he would grant them this clause too; but he looked upon it as monstrous, to propose to abolish the Trial by Jury and to erect Courts-martial in Ireland for the trial of civil offences, whilst Parliament was sitting and Juries and witnesses were performing their duty. Impressed with this conviction, he was determined to give his most strenuous opposition to this clause.

Mr. *Shaw* felt himself in a considerable difficulty with respect to the clause then under consideration. He was committed to its principle, and felt at that moment as strongly as ever the urgent and undeniable necessity of the measure introduced by his Majesty's Ministers; but what he feared was, that the measure would be inoperative from alterations made since its introduction, and from the general policy towards Ireland with which it would be accompanied. While he fully agreed with his hon. and learned friend the member for Monaghan (Mr. Perrin), that a departure so violent as the present from the established laws and Constitution must be either absolutely necessary or grievously unjustifiable, he also was of opinion, that to make a complete case of justification they must be satisfied that the substitute proposed would be efficacious. Of the strong necessity of a power beyond the ordinary laws to restrain the disaffected in Ireland, he could not entertain a doubt. The late Kilkenny Assizes had been adduced as an argument on the other side; but Baron Foster, the Judge who presided there, had stated, in his charge to the Grand Jury, that for four successive Assizes he had found the county progressively becoming worse—that on the last occasion there was not even a record for trial—that the law could not be administered—that it was not only process for tithe, but process of every description had been rendered impracticable, and that the British Constitution had ceased to exist in the county of Kilkenny — that of the offences reported, not one-twelfth were ever attempted to be prosecuted, and he calculated, not one-twentieth of those committed. But his (Mr. Shaw's) difficulty arose from the manner in which the Bill had been weakened, and its provisions frittered away. Those best acquainted with military tribunals, seemed to think, that the alterations made in the formation of the Courts, would render these ineffective, and his own opinion was, that while, in the absence of the ordinary law, he knew no tribunal to which he could so willingly commit his property, his liberty, or his life, as to the honour and generous forbearance of a British officer, yet, that if five independent gentlemen, unversed in the technicalities of evidence, who were to be perplexed by counsel, and not assisted by a Judge, were required to be unanimous in their judgment; such a court was not likely to be prompt or efficient in the despatch of business. But a much greater objection, in his mind, to the Bill as it now stood, was, that, although the great inducement Ministers held out when they asked for enactments more severe than ever any other Government proposed was, that they would put down political agitation, and rather punish the man who incited others to crime, than the poor deluded victim of his mischievous harangues—the Bill as then altered would altogether fail to reach that evil; its most important provision, in that respect, as copied from the 10th Geo. 4th., had been abandoned —namely, the power to two Magistrates to suppress an unlawful meeting. They might, no doubt, bind over the persons present at it to take their trial by indictment for a misdemeanor, but then those very persons might return to the same meeting, and the alteration in the Bill had deprived the Magistrates of the power to put a stop to the meeting by means of summary conviction and immediate punishment. The trial of political agitators in the proclaimed districts was also withdrawn from the summary tribunals, whereas that class of persons was much more likely than the humbler offender to find sympathy in the minds of a Jury sitting in a disturbed district, and probably more or less affected by the prevailing excitement. He could not reconcile it with justice or propriety, thus to let the real offender, the cause and origin of all the outrage and insubordination which had subverted the laws, escape, while the unhappy dupe of his designing artifice was to be visited with all the severities of those peculiarly severe enactments. For the suppression of political agitation, he considered the Bill had been rendered almost if not altogether nugatory. It certainly was not the fault of Ministers, if the hon. and learned member for Dublin were not able as he had stated, to drive a coach and four through the Act. He did not, he confessed, feel much confidence in contributing to place these powers in the hands of his Majesty's Ministers. He believed, that his Majesty's Ministers would not succeed in quieting Ireland. He saw nothing but ruin and loss in prospect. It was likely, that the two countries would be separated. He hoped he might be wrong; but it was his honest opinion. He might be considered a gloomy prophet. He should, however, give his very reluctant consent to placing these powers in the hands of his Majesty's Ministers.

Mr. *O'Connell* felt, that he ought not to allow this question to go to a vote without saying a word in reply to the noble Lords and hon. Gentlemen on the other side of the House. He wished that he could entertain a hope that Ministers had heard enough that evening from the hon. and learned member for Edinburgh, the hon. and learned member for Kirkcudbright, and from the hon. and learned member for Monaghan (who knew a great deal of Ireland), to induce them to suspend their opinions upon this clause till to-morrow. He was not the friend, neither did he pretend to be the friend, of the present Ministers; but he was sure, that their soundest friend would concur with him as to the propriety of the advice which he had just recommended to their adoption. The point on which the Committee was then called upon to decide was this—"Is the Trial by Jury to be abolished at the mere will of the Lord Lieutenant of Ireland?" That was the question to which a Reformed Parliament was called upon to answer yes or no. It was not a light or unimportant question. If they should unfortunately answer the question in the affirmative, what were they going to substitute for it? Not a Court-martial, but some bastard mongrel thing which was called a Court-martial, and in point of fact, was not one. He meant no offence personally to the Gentlemen who were to serve upon it, but he must say, that the country was going to have a packed Court-martial, a rambling tribunal, undefined by principle, unlimited by anything like law, mis-shapen, and ill-begotten. He protested against the establishment of such a tribunal, not only on account of the monstrous thing itself, but also on account of its becoming a precedent. He would not waste the time of the House by declaiming on the merits of Jury Trial, he would only say, that he pitied the man, who, calling himself a lover of freedom, did not estimate highly this mode of trial. It long preceded the title of the King to his throne, and was in existence even before the right of Representation in Parliament existed. In abolishing that mode of trial, let the House consider what power was vested in this mongrel Court-martial. It had no power to try the murderers of Mr. Leonard—no power to try those violent outrages at which good men of all parties naturally shuddered—no power to try political offences, for that power had very properly been taken from it. Thus, then, there remained nothing for it to try but the middle species of offence. But the erection of these Courts-martial was rendered necessary by the intimidation practised upon Jurymen. The right hon. Secretary, in arguing this question, placed the opponents of the Bill in a curious dilemma. At the last Assizes, the Jurors for the county of Kilkenny did not attend; that was intimidation: at the present Assizes they do attend; and that, said the right hon. Secretary, was intimidation again. Such were the miserable grounds upon which an intelligent people were to be deprived of their dearest rights. He recollected, that upon a former night the right hon. Secretary had produced a great effect, by quoting a letter foretelling that the Jurors would not attend at the present Assizes for Kilkenny. To-night he had endeavoured to induce the Committee to act upon another letter, stating that the Jurors had attended in extraordinary numbers. How, then, were the honest friends of Irish liberty to act, when they found that whether Jurors attended or not, their rights and franchises were to be equally destroyed? Again, it had been stated, that witnesses would not attend, so much were they intimidated. Why, it was now in evidence that they attended willingly, and in crowds. But had witnesses ever been intimidated? On that point the evidence of Mr. Barrington, which he had read, was decisive. Mr. Barrington asserted, that he had never known a case in which a witness was maltreated on account of his having given evidence. It was miserable to have to enter into details and discussions like these —it was miserable that the Trial by Jury should be the stake for which he was playing, and that such wretched counters as these should be set against so valuable and inestimable a prize. But, supposing that witnesses did not attend before the ordinary tribunals of the land, what power had these military tribunals to compel their attendance? It was said, that the Courts of Law were inoperative from want of sufficient evidence. Were these military tribunals then to act with less evidence, or with no evidence at all? But put the case the other way. Witnesses would not come voluntarily forward; but were there no such things as informers—men who trafficked in blood, and who, for a paltry pittance, would sell the lives of their fellow subjects? The evidence of an informer was always suspicious; he was generally an accomplice in the offences with which he charged others. The evidence of an accomplice required corroboration; and what was evidence in corroboration was a difficult point even for the venerable Judges of the land to determine; and yet all this was to be settled without discussion by these military Judges. The right hon. Secretary had not shown a particle of necessity for this measure. In his speech, that evening he had gone so far as to say, that he hoped, that if this Bill were passed, the Executive Government would not have occasion to use it. That was a distinct admission, that there was no necessity for the Bill, and therefore the House ought not to give to the Lord Lieutenant the power of deciding at his will and pleasure whether the Trial by Jury should be abolished in Ireland. Then the right hon. Secretary, having given up the ground of necessity, called upon the House, from its confidence in Ministers, to grant them those extraordinary powers. Now, ought they to give up their liberties to the keeping of any man, out of confidence either in him or in his colleagues? The right hon. Gentleman could not ask this Bill of them as a right, when he called upon them to give it him in confidence. He could not demand it from them as a debt, so he now came forward and solicited for it as charity. Give it him in charity—bestow it upon him as an eleemosynary contribution. They would do so, if they were prepared in confidence to abolish the Trial by Jury, and to abolish it for a mongrel species of ambulatory Court-martial, docked above and cut away below, which was neither fish nor flesh nor good red-herring.

Lord *Ingestre* had supported this Bill upon its first introduction, but he was now inclined to oppose it, because this clause had been so altered as to be rendered ineffective.

Mr. *Stanley*, in reply to the noble Lord's reason for withdrawing his support from this Bill, would only state, that this clause was, with the exception of two words, which did not in the slightest degree affect its import, in precisely the same shape in which it was originally introduced into the House.

Colonel *Perceval* was almost inclined to vote against this clause, since the mode in which the constitution of the Courts-martial had been altered by requiring five of its members to be unanimous, would render it difficult for the Government to render any effectual protection to the inhabitants of Ireland.

Lord *Sandon* did not think that the change made in this clause was sufficient to warrant an alteration of sentiment in those hon. Members who had originally given their support to this Bill. He was surprised that it should be considered a matter of difficulty to get five or seven officers to be unanimous in a verdict when they continually saw twelve Jurymen agreeing in their opinion. With respect to the other objection — that political offences were no longer to be tried by Courts-martial, he highly approved of the change; because he did not think military men likely to be good Judges in cases of sedition or treason, although he believed them perfectly competent to try common offences. He thought there was a clear distinction between political and other offences; and it appeared to him the Committee would take upon itself an awful responsibility, if it refused to arm Ministers with the power conveyed by this clause. He felt confident, that the powers intrusted to Government, by the Bill, would not be abused; and his confidence was founded, not on the personal character of Ministers, but on a Reformed House of Commons, emanating directly from the people, which would always be able to control the Government.

The Committee divided on the Clause: Ayes 270; Noes 130—Majority 140.

Clause to stand part of the Bill.

The eleventh Clause read.

Mr. Rigby Wason moved an Amendment, requiring unanimity from all the members of the Courts-martial. It was as follows, "Provided always that no person shall be convicted under this Act, or any sentence passed on any person who shall be so convicted, unless the officers composing such Court-martial, shall unanimously agree in their verdict, and shall afterwards unanimously approve of the sentence awarded by the court for such offence."

Lord *Althorp* opposed the Amendment. The Ministers had already made great concessions in this clause. They had consented that there should be a majority of seven out of nine, of five out of seven; and that in all cases where the members of the court were limited to five, then that the five should be unanimous.

The Committee divided on the Amendment: Ayes 42; Noes 146 — Majority against the Amendment 104.

Mr. *Rotch* said, that it was the practice of Courts-martial, when the prisoner made any objection, to clear the Court, whilst the Judge Advocate had the privilege of replying to the objection in secret, and in the absence of the prisoner and his advisers. He thought, that should be guarded against, and he would move this proviso, "Provided, always, that no legal objection or other objection to the proceedings of the Court-martial shall be gone into, in the absence of the party accused, and his legal adviser." That would prevent any such practice under this Act.

Amendment negatived without a division.

Mr. Warburton moved an Amendment, "That no verdict of acquittal should be revised by the same or any other Court-martial; and that no sentence of condemnation should be increased in severity by the Lord Lieutenant or any other person"—The first part of which was agreed to, the latter negatived.

The Clause with verbal Amendments to stand part of the Bill.

House resumed; Committee to sit again.

List of the AYES. *on the first Division.*

ENGLAND.

Althorp, Viscount
Anson, Sir G.
Anson, hon. G.
Astley, Sir J.
Atherley, A.
Baring, F. T.
Baring, F.
Barnett, C. J.
Barnard, E. E.
Beaumont, T. H.
Benett, J.
Bentinck, Ld. G. F. C.
Berkeley, Capt. M. H.
Berkeley, hon. C. F.
Bethell, R.
Biddulph, R. M.
Blackstone, W. S.
Boss, J. G.
Bowes, T.
Brocklehurst, J.
Brodie, Captain
Brougham, W.
Brougham, J.
Buller, J. W.
Buller, E.
Bulteel, J. C.
Burdett, Sir F.
Burton, H.
Buxton, T. F.
Byng, G.
Byng, Sir J.
Calvert, N.
Campbell, Sir J.
Carter, J. B.
Cavendish, Lord
Cavendish, Col. H. F.
Cayley, Sir G. B.
Cayley, E. S.
Chaytor, Sir W.
Chetwynd, Capt. W. F.
Chichester, J. P. B.
Childers, J. W.
Clive, E. B.
Clive, Viscount
Clive, hon. R. H.
Cockerell, Sir C.
Codrington, Sir E.
Collier, J.
Cookes, T. H.
Cotes, J.
Crawley, S.
Davenport, J.
Davies, Lieut.-Col.
Denison, W. J.
Denison, I. E.
Dilwyn, L. W.
Donkin, Sir R. S.
Duncannon, Viscount
Dundas, Capt. J. W.
Dundas, hn. Sir R. L.
Dundas, hon. J. C.
Eastnor, Viscount
Ebrington, Visct.
Ellice, E.
Etwall, R.
Evans, W.
Fazakerley, J. N.
Fellowes, H. A. W.
Fellowes, hon. N.
Ferguson, Gen. Sir R.
Finch, G.
Fitzroy, Lord J.
Folkes, Sir W.
Forster, C. S.
Fort, J.
Fox, S. L.
Frankland, Sir R.
Gaskell, J. M.
Gisborne, T.
Gladstone, W. E.
Gordon, R.
Gore, M.
Goring, H. D.
Graham, Sir J. R. G.
Grant, right hon. R.
Greene, T. G.
Grey, hon. Col.
Grey, Sir G.
Gronow, Capt. R. H.
Grosvenor, Lord R.
Halford, H.
Handley, W. F.
Handley, H.
Harcourt, G. V.
Harland, Wm. C.
Hawes, B.
Heathcote, John
Heathcote, G. J.
Heron, Sir R.,

Hill, Sir R.
Hobhouse, Sir J. C.
Hodges, T. L.
Hodgson, J.
Hornby, Edmund G.
Horne, Sir Wm.
Hoskins, K.
Howard, hon. F. G.
Howard, P. H.
Howick, Viscount
Ingham, R.
Inglis, Sir R. H.
Jermyn, Earl of
Jerningham, hon. H.
Johnstone, Sir I. V.
Keppell, Major G.
Kerry, Earl
Laboucbere, H.
Lamont, N.
Langston, J. H.
Lefevre, Charles S.
Lemon, Sir C.
Lennard, Sir T. B.
Lennox, Lord G.
Lennox, Lord A.
Lumley, Viscount
Lushington, Dr. S.
Maberley, Col. W. L.
Macaulay, T. B.
Madocks, J.
Mahon, Viscount
Marjoribanks, S.
Marryat, J.
Marshall, J.
Marsland, T.
Martin, J.
Mildmay, P. St. John
Milton, Viscount
Molyneux, Lord
Moreton, hon. A. H.
Morpeth, Viscount
Mosley, Sir O.
Mostyn, hon. E. M. L.
Nicholl, J.
Ord, Wm. H.
Paget, F.
Palmer, R.
Palmerston, Viscount
Parker, J.
Parker, Sir H.
Patten, J. W.
Pelham, hon. C. A. W.
Pendarves, E. W.
Pepys, C. C.
Peter, W.
Petre, hon. Edward
Phillips, Sir George
Phillpotts, J.
Pinney, W.
Ponsonby, hon. W.
Potter, R.
Poulter, J. S.
Price, Sir R.
Pryme, G.
Pugh, D.
Ricardo, D.
Rice, hon. T. S.
Rickford, W.
Ridley, Sir M. W.
Robarts, A. W.
Rolfe, R. M.
Rotch, B.
Russell, Lord J.
Russell, C.
Ryle, J.
Sandon, Viscount
Sandford, E. A.
Scott, Sir E. D.
Scott, J. W.
Seale, Colonel
Sebright, Sir J.
Shawe, E. R. N.
Sheppard, T.
Smith, J. A.
Smith, hon. R. S.
Smith, R. V.
Spencer, hon. Cap. F.
Stanley, rt. hon. E. G.
Stanley, E. J.
Staunton, Sir G. T.
Staveley, T. K.
Stewart, P. M.
Strickland, G.
Stuart, Lord D. C.
Talbot, C. R. M.
Talbot, W. H. F.
Thicknesse, R.
Thomson, right hon. C. P.
Throckmorton, R. G.
Townley, R. G.
Tracy, C. H.
Trevor, hon. G. R.
Troubridge, Sir E. T.
Vernon, hon. G. J.
Vernon, G. H.
Vincent, Sir F.
V vian, J. H.
Walker, R.
Ward, H. G.
Warre, J. A.
Waterpark, Lord
Watkins, J. L.
Watson, hon. R.
Wedgwood, J.
Whitbread, W. H.
Whitmore, W. W.
Whitmore, T. C.
Williams, W. A.
Willoughby, Sir H.
Winnington, Sir T.
Wood, G. W.
Wood, C.
Wrottesley, Sir J.
Wynn, rt. hon. C. W.
Young, G. F.

SCOTLAND.

Adam, Admiral C.
Baillie, Colonel J.
Bannerman, A.
Callender, J. H.
Dalmeny, Lord
Dalrymple, Sir J. H.
Elliot, hon. Captain
Ferguson, Captain
Ferguson, R.
Fleming, Admiral
Grant, right hon. C.
Halliburton, hon. D.
Hay, Colonel L.
Jeffrey, right hon. F.
Johnstone, A.
Johnstone, J. J. H.
Kennedy, T. F.
Macleod, R.
Maxwell, Sir J.
Maxwell, J.
Murray, J. A.
Oliphant, L.
Ormelie, Earl of
Ross, H.
Steuart, R.
Stewart, Sir M. S.
Wemyss, Captain J.

IRELAND.

Acheson, Viscount
Belfast, Earl of
Browne, J. D.
Browne, D.
Christmas, J. N.
Coote, Sir C. H.
Ferguson, Sir R. A.
Fitzgibbon, hon. R.
Gladstone, T.
Hill, Lord A.
Hill, Lord M.
Howard, R.
Knox, hon. Col. J.
Lamb, hon. G.
Maxwell, J. W.
O'Grady, hon. Col.
O'Neil, hon. Gen. J.
Shaw, F.

List of the NOES.

ENGLAND.

Aglionby, Henry A.
Attwood, T.
Bainbridge, E. T.
Baring, H. B.
Bayntun, S. A.
Beauclerk, Major A.
Bish, T.
Blandford, Marquess
Bowes, J.
Briggs, R.
Buckingham, J. S.
Bulwer, E. L.
Chandos, Marquess of
Clay, W.
Curteis, H. B.
Curteis, Captain E. B.
Darlington, Earl of
Dawson, E. S.
Divett, E.
Duncombe, hon. W.
Ellis, J.
Ewart, Wm.
Faithfull, G.
Fielden, J.
Forester, hon. G. C. W.
Gaskell, D.
Grote, G.
Guest, J. J.
Guise, Sir B.
Gully, J.
Hall, B.
Handley, B.
Hanmer, Sir J.
Hanmer, Colonel H.
Hawkins, J. H.
Hotham, Lord
Hudson, T.
Hume, J.
Humphery, J.
Hutt, W.
Ingestre, Viscount
James, W.
Kemp, T. R.
King, E. B.
Langton, Colonel G.
Lester, E.
Mills, J.
Molesworth, Sir W.
Palmer, General
Parrott, J.
Philips, M.
Rider, T.
Rippon, G.
Roebuck, J. A.
Romilly, J.
Romilly, E.
Scholefield, J.
Scott, J. W.
Stewart, J.
Strutt, E.
Tayleure, W.
Tennyson, rt. hon. C.
Todd, R.
Torrens, Colonel
Turner, W.
Tynte, C. J. K.
Warburton, H.
Wason, R.
Wigney, J. N.
Wilbraham, G.
Wilks, J.
Windham, W. H.
Wood, Alderman
Yelverton, hon. W. H.

SCOTLAND.

Abercromby, rt. hn. J.
Dunlop, Captain J.
Ewing, J.
Fergusson, R. C.
Gillon, Wm. D.
Kinloch, G.
Oswald, R. A.
Oswald, J.
Sharpe, General M.
Sinclair, G.
Wallace, R.

IRELAND.

Baldwin, H.
Barron, W.

Barry, G. S.
Bellew, R. M.
Butler, hon. P.
Chapman, M. L.
Clements, Viscount
Daunt, W. O. N.
Dobbin, L.
Evans, G.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Fitzsimon, N.
Galwey, J. M.
Grattan, J.
Grattan, H.
Lambert, H.
Lynch, A. H.
Maclaughlin, M.
Macnamara, Major
Martin, J.
Martin, J.
Mullins, F. W.
Nagle, Sir E.
O'Brien, Colonel
O'Callaghan, C.
O'Connell, D.
O'Connell, M.
O'Connell, C.
O'Connell, J.
O'Connell, Morgan
O'Connor, Don
O'Connor, F.
O'Dwyer, A. C.
O'Ferrall, R. M.
Perrin, L.
Roche, W.
Roche, D.
Ruthven, E. S.
Ruthven, E.
Sullivan, R.
Talbot, J.
Talbot, J. H.
Vigors, N. A.
Walker, C. A.

TELLER.

Sheil, R. L.

Paired off.

Lennox, Lord W.

HOUSE OF LORDS,

Wednesday, March 20, 1833.

Minutes.] Bills. Read a third time:—Exchequer Bills and Transfer of Aids.

Petitions presented. By Lord Seagrave, from a Number of Places,—for the Abolition of Slavery.—By the Earl of Shaftesbury, from the Congregation of the Scotch Church, Swallow Street, St. James's; and by Lord Howden, from Tadcaster,—for the Better Observance of the Sabbath.—By the Earl of Rosebery, from Dysart,—against the System of Church Patronage (Scotland).

HOUSE OF COMMONS,

Wednesday, March 20, 1833.

Minutes.] Papers ordered. On the Motion of Captain Dundas, an Account of the Number of Irish Poor passed from London to Bristol to be shipped for Ireland, and the Expenses incurred thereby.—On the Motion of Captain George Ferguson, the Quantity of Foreign Oats imported into Ireland Free of Duty as Seed Corn, since permission was first granted to impost.

Petitions presented. By Mr. Ewart, from Glasgow, for Poor Laws (Ireland); and from Liverpool, for the Abolition of the Punishment of Death for Offences against Property. By Sir John Johnstone, from Scarborough, for the Repeal of the House and Window Tax.—By Mr. Roebuck, from the Retailers of Beer, Stockport, to be placed on the same footing as the Licensed Victuallers; and by Mr. Wilks, from Retailers of Beer, Boston, to the same effect.—By Sir John Johnstone, from Scarborough, Sealby, and other Places; by Mr. Roebuck, from Proprietors of Stage Coaches and Waggons of Bath; by Mr. Hope Johnstone, from Dumfries, Ruthwell, Dunscore, Langholm, Linlithgow, and Borrowstonness; by Mr. Wilks, from Sion Chapel, Mallow; from Baptists of Bow; from the Minister and Congregation of St. Thomas's Square Chapel, Hackney; and from Ministers, Elders, and Congregation of Albion Chapel, Moorgate, in connexion with the United Secession Church of Scotland; by Colonel Williams, from the Inhabitants of Ashton-under-Lyne; by Sir Gray Skipwith, from Stoneleigh, Atherstone, Berkswell, and Wallsall; by Mr. Sinclair, from Bickenhill, and several other Places in Scotland; by Captain Chetwynd, from Stafford; by Mr. Gillon, from the Associate Congregation of Airdrie; by Captain Dunlop, from Kilmarnock; by Lord Althorp, from Titchmarsh, and other Places,—for the Better Observance of the Sabbath.—By Sir John Johnstone, from Scarborough; by Mr. Hope Johnstone, from Moffatt and Langholm; and by Mr. Wilks, from Baptists at Horsham and Stradbroke,—for the Abolition of Slavery.—By Mr. Roebuck, from Persons at Stockport,—for the Repeal of the Union with Ireland.—By Colonel Williams, from Ashton-under-Lyne; and by Mr. Gillon, from certain Persons in Glasgow, and from other Places,—against the Suppression of Disturbances (Ireland) Bill.—By Mr. Ewart, from Glasgow, for the Removal of Restrictions on the Trade to the Brazils; and from Liverpool, in favour of the Jews.—By Mr. Sinclair, and Captain Dunlop, from various Places in Scotland, for the Abolition of Church Patronage.—By Mr. David Roche, from Limerick; and by Mr. Ewart, from Liverpool,—for an Amendment in Corporation Laws.—By Mr. Wilks, from Dissenters Meeting at Argyle Chapel, Bath, at Boston, and Ashburton, for Exempting from Poor and Church Rates all Places of Worship, and for the Redress of Grievances.—By Mr. Roebuck, from the Females of Bath; by Mr. Wilks, from Ashburton; and by Colonel Williams, from Ashton-under-Lyne,—in favour of the Factories Regulation Bill.—Similar Petitions were presented by Mr. Strickland, from Gomersall; by Mr. Gillon, from Operatives of Dundee; and by Mr. Sinclair, from Dingwall, Lismahagow, and Stanningley.—By Mr. Gillon, from Lanark; and by Mr. Strictland, from Langfield, for the Reduction of Taxation.

Suppression of Disturbances (Ireland)—Petitions.] Mr. *Roebuck*, on presenting two Petitions against the Irish Coercion Bill, one from Stockport and the other from Bristol, signed by 4,000 persons, felt called upon to make a few observations, especially as he had not hitherto said anything upon the subject. The Members for Ireland had fought their battle in that House manfully, patiently, and with great calmness and discretion; but that battle, from the votes of last night, was clearly shown to be lost. Having thus noticed what had taken place, he felt called upon to say to those hon. Gentlemen, if they would take his advice, they would leave that House at once, and for ever as it was plain Ireland could not look for justice from an English House of Commons. If the opinions of Parliament were to be judged of by the opinions and votes of its Members last night, justice never could be done to Ireland, and the sooner she was separated from England the better. The people of America, having much less grounds than Ireland had now to complain, had fought nobly for their independence, and had put down till then the indomitable pride of England. Unfortunately Ireland had not followed so glorious an example, and the consequence was, that she had suffered oppressions unequalled by any other country in Europe, with the exception of Poland. The time was now come when it was openly avowed that Ireland was to be no longer under a free Government. Irishmen had become the slaves of the despotism of England; and if they wished to continue so, instead of fighting manfully and boldly by every means in their power for their independence, they would passively give way to the provisions of the most iniquitous measure that had ever been brought forward, and they would deserve the desecration of every honourable man. The measure had been brought forward in cowardice—supported by imbecility—and carried through by the most unworthy means. He had expressed his opinions on this subject strongly; he cared not how far some persons might think he had gone beyond the bounds of discretion, for, in his opinion, when the rights of a nation were disregarded, and its people trampled under foot, discretion was but a poor virtue. The open expression of honest indignation was preferable at all times to that careful weighing of a man's words which was the poor refuge of the cowardly and the base.

Mr. *Cobbett* rose to express his entire approbation of what had fallen from the hon. member for Bath; he, however, wished that the hon. Gentleman, instead of stating that the people of England were the oppressors of Ireland, had stated that those oppressors were the grinding aristocracy of England.

An *Hon. Member* thought that the language which had been used by the hon. member for Bath was such as ought not to be countenanced by the House. He had himself, with great reluctance, given his support to his Majesty's Ministers in carrying the measure, and he should continue to do so; at the same time he must say that, if such questions as the abolition of the right of petition, and the suspension of the *Habeas Corpus* Act were brought abstractedly before the House, he should enter his earnest and decided protest against them; but when he saw the present state of Ireland, he felt bound to support the measure, which he regarded as one of mercy, as it went to prevent anarchy.

An *Hon. Member* likewise deprecated the language which had been used by the hon. member for Bath, language and expressions almost amounting to preaching open rebellion.

The *Speaker* said, that the hon. Member must permit him to interrupt him in the course he was pursuing. The hon. Member was mistaken, or had misunderstood the intentions and statement of the hon. member for Bath. It was impossible that any hon. Member could be permitted to preach rebellion, and he (the Speaker) had understood the remarks of the hon. member for Bath to be confined merely to this,—that the people of Ireland ought to oppose any measure by which their freedom was assailed by every legal means afforded them by the law of the land. If he (the Speaker) had entertained any such notion as to the statement of the hon. member for Bath as had been expressed by the hon. Member, he should at once have called the hon. member for Bath to order.

Mr. *Finn* felt called upon to make a few observations upon that part of the hon. member for Bath's speech, in which he recommended the Members for Ireland, who had unsuccessfully opposed the Bill, to withdraw from that House. That was an advice which they could not think of following. They had a duty to perform to the people of Ireland, and to the people of the other parts of the empire, which was, to remain at their posts, and effect all the good they could. The question of taxation would shortly come forward, and it was the duty of every Member to be at his post, to endeavour, if he possibly could, to reduce those taxes that bore so heavily on the people. The question of sinecures and unmerited pensions would also be brought forward, and it behoved Members to be in their places to reduce them—to put down useless expenditure of every description—to extend liberty in every way, and to support Triennial Parliaments and Vote by Ballot. If the recommendation of the hon. member for Bath were followed by the Irish Members, the consequence would be, that the different members of the Government would hold their seats on very easy terms.

Mr. *Roebuck* observed, that if the hon. Member who had deprecated the strong language he had used, would only take the trouble of looking into the speeches of Mr. Fox, he would find that terms equally strong had been made made use of by that right hon. Gentleman.

FACTORY REGULATIONS.] Mr. *Strickland* said, that he had a Petition to present of great interest and importance at the present moment, in favour of the Bill before the House, for limiting the duration of the labour of children in factories. It was from the large town of Leeds, which, if not the largest, was, perhaps, the most affluent manufacturing town of this country. This petition had been stated to him to be 240 feet long, and to have been signed by 16,000 persons. It was the time at which this petition was brought forward, and the distinct manner in which it expressed the sentiments of the petitioners, which made him think it of importance; but there was only one sentence in it to which he wished to call the particular attention of hon. Members. In that sentence the petitioners begged to bear their testimony to the accuracy, of the evidence given before the Select Committee appointed by that honourable House to inquire into the subject, and particularly they bore testimony to that portion of the evidence which had reference to the protracted hours of labour imposed upon children in factories, and the consequent destruction of their health and morals. He (Mr. Strickland) was one of those who had devoted great attention to the evidence taken before the Committee at the time, and then feared to prejudge the case; but now that the Bill was before the House, and that imputations had been thrown out against that evidence, on the ground of its being *ex-parte*, and capable of receiving an answer, he begged to state what his own impression of that evidence was. He thought the reading of it would not give the public a full and correct idea of the real state of the case, or that anything else could, except a sight of the emaciated cripples who were brought before the Committee to be examined. He regretted that the Bill introduced some years back, by Sir John Hobhouse, had met with the opposition it experienced, for he was confident that it was the limitation of that Bill to the cotton manufacture which had excited a great part of the present discontent. He was decidedly of opinion that nothing short of the Ten-hour Bill could satisfy the feelings of the public, or be productive of any advantage. This Bill must be tried for a season, and, if it were found to be impracticable, they must again legislate upon the subject.

Mr. *Fryer* said, that no one was more anxious than he was to relieve the misery of these children, and of the working classes generally; but he was satisfied that the Factories' Bill would prove nothing but a delusion. This was not the way in which the distress of the country could be remedied. The only relief that could be afforded to a manufacturing population was the reduction of the duty on their raw materials, and the abolition of the tax on bread. Foreign countries were rapidly overtaking us in the cheapness of our manufactures; and, in some particulars, absolutely rivalled us. How was it possible to expect, that with a duty of twelve per cent on the raw material, and of twenty per cent upon corn, relief could be given to the labourers, either infant or adult? They might talk of relieving them, but all attempts to relieve them must be delusive, whilst Parliament persisted in creating an artificial scarcity, for the purpose of making them pay a high price for their bread. The only way of giving the starving population of the country real relief, was to afford them a fair chance, by reducing the price of food, and the tax upon their raw materials, and thus enable them to compete with foreign nations.

Mr. *Robinson* agreed with the hon. Member who had just sat down; but said it was difficult all at once to make such an alteration in the taxes, as would afford the manufacturing classes relief; and the question was, whether, in the meantime, they would permit the present system to go on, and allow the children to labour more than ten hours.

Mr. *Potter*, in justification of the cotton manufacturers, begged to say, that the abuses complained of did not rest exclusively with them. When hon. Members spoke of supporting the Bill, they surely did not mean to support all its provisions. Did they mean to support a measure giving the power to Magistrates to commit the masters to prison for twelve months? Did they mean to support a measure which gave Magistrates a power to levy a fine of 200*l.* on the masters? If they did mean to support a measure with such clauses, he would tell them they would strike a blow at the cotton trade, from which, in his opinion, it would never recover. He was decidedly favourable to an alteration in the hours of labour, but not to be effected by a Bill like this.

Petition laid on the Table.

TRADE TO THE BRAZILS.] Mr. *Ewart* rose to present a Petition from a number of shipowners of Liverpool, who were proprietors of 100,000 tons of British shipping.

They prayed for no additional restriction upon trade; but, on the contrary, for an extension of it. He should not do justice to the petitioners if he did not read the petition at length.

To the Honourable, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled; the humble Petition of the undersigned owners of British vessels trading from the port of Liverpool, showeth—

That your petitioners labour under many disadvantages in competition with foreign shipping, in consequence of the higher cost of their vessels, and the greater expense of navigating them, in the charges for provisions, stores, and wages: and also to their being subjected to many imposts to which foreign ships are not liable, such as the stamp duties on policies of insurance being one quarter, and often one-half per cent upon the value of their property on each voyage; the South Sea duty, still levied upon shipping, of 1*s.* 6*d.* per ton homewards, although goods outwards have for some time back been free from that duty; the Greenwich Hospital dues of 6*d.* per month for each of the crew during the voyage, and the dread of the impress service—that most unjust, tyrannical, iniquitous practice of manning the navy, resorted to in time of war, and which deters many youths of respectable connections from embracing the sea service as a profession.

That, in addition to the above serious disadvantages, your petitioners, in their trade with Brazil, Cuba, St. Domingo, Java, Sincapore, Manilla, and the Indian Archipelago, are deprived of a large portion of homeward freight, in consequence of the chief productions of these countries being prohibited from use or consumption in this kingdom.

That, for the reasons before-mentioned, British shipping cannot be navigated in competition with American and other foreign shipping, when carrying cargoes to foreign ports, as, besides the extra expense at which British vessels are navigated; they also incur a further charge for commission and management to a foreign agent, and have to perform a second voyage in ballast to a British port: or return in ballast to a more distant one for further employment.

That Brazil alone furnishes freightage for 120,000 tons of shipping annually in sugar and coffee, nearly the whole of which is imported as returns for British manufactures; and, were the productions of that country admitted for use or consumption in this kingdom, they would be brought inwards, and a great part thereof re-exported in British vessels.

That St. Domingo, Cuba, Manilla, Sincapore, and the Eastern Islands, likewise furnish upwards of 200,000 tons of similar productions, the greater part of which, as well as the produce of Brazil, is carried by American and other foreign shipping, to European ports, although actually the property of British merchants, or received in return for British manufactures.

That the British trade with China is strictly confined to the Honourable East India Company's ships, whilst Americans, Danes, Swedes, and other nations are permitted to sail from British ports with British goods, freighted on British account, and to return with cargoes of tea and other Chinese productions to the various ports of Continental Europe, whilst the vessels owned by your petitioners are precluded from every share of this profitable and extensive carrying trade.

That your petitioners attribute the present depressed state of the British shipping interest mainly to those unjust and impolitic monopolies and restrictions, and that, if the trade with the before-named countries were placed on a fair and liberal basis, additional employment would be given to a large extent of British tonnage, now lying idle in the ports of this kingdom, or unprofitably employed in vain competition with foreign shipping, trading to foreign ports.

Your petitioners, therefore, humbly pray, that your honourable House will take this their petition into your most serious and immediate consideration; and that an interest, hitherto considered so important to the welfare and protection of this kingdom, may not be suffered to go to decay, while the Marine of our American and continental rivals prospers by its destruction.

And your petitioners will ever pray.

He begged leave most strenuously to support the prayer of the petition. He could see no sources of relief from the grievances and depression under which the country now laboured, but from a diminution of taxation and the extension of commerce. Every removal of the unjust and impolitic restrictions and monopolies which had hitherto incumbered and impeded the prosperity of the country, necessarily would go toward the diminution of taxation. He hoped, that while the people demanded relief from direct taxation, they would not shut their eyes to that indirect system of taxation, arising from commercial restriction and monopoly, which not only took money out of their pockets, but pressed on the commercial relations of the country, and impeded the comfort of all classes. He hoped the subject would meet with the full consideration of Government, and as soon as possible that relief would be given.

Lord *Sandon* was prepared generally to support the prayer of the petition, although he could not enter into a discussion of all the details contained in it. Each sentence admitted of a long and important argument; but, at present, he could only say, that he generally approved of its prayer. His wish was, that as many restrictions as possible should be taken off commerce; but he did not agree in that particular to the full extent of the petition, that all articles of foreign produce should be freely admitted for use in this country. Even on the produce of our own colonies there were restrictions; and it would introduce complete confusion into the commercial connexions of the country to grant the prayer of the petition to its full extent. He expressed his concurrence in that part of it which directed the attention of Government to the duty on Marine Insurances, which pressed very heavily on the commerce of this country.

Mr. *Wolryche Whitmore* was of opinion, that the utmost freedom should be allowed to the commerce of this country. Unless it were relieved from all restrictions and monopolies, it would fall to decay in the competition with other nations. He sincerely trusted that his Majesty's Government would seriously direct attention to this subject, as he was fully convinced by that means alone could the difficulties under which the commercial and shipping interests of the country laboured be removed.

Petition laid on the Table.

BUSINESS OF THE HOUSE.] Sir *Robert Peel* wished to know, whether it was the noble Lord's intention to press his Motion that the Irish Bill should take precedence of all other business? He only asked the question, because there might be some certainty as to what business would come before the House.

Lord *Althorp* said, that he hoped the courtesy of hon. Members would prevent him from pressing it; but if they declined acceding to his wish, he feared he should be obliged to press that Motion, as it was necessary that the House should continue the consideration of the Bill *de die in diem* until it had passed through the Committee.

Mr. *O'Connell* thought there was no one who would deny that much time—nearly an hour and a half—had been consumed after one o'clock on the preceding morning upon unnecessary discussions. He had no objection to go into the discussion at six, and continue till one. That would surely be enough. Those who were kept for so many hours from all manner of refreshment, were not able, at the end of the time, to bear up against the overflowing strength of those who then came in upon them. Many gentlemen were thus prevented from expressing their sentiments. Under these circumstances, he trusted he should not be thought to be trespassing, if, at one o'clock, he moved an adjournment.

Sir *Matthew W. Ridley* did not know that the hon. and learned Member was in the least degree justified in speaking as if this Bill had not had a full discussion.

Lord *Ebrington* sincerely hoped, that his noble friend the Chancellor of the Exchequer would come to no compromise on this point.

Colonel *Williams* protested against the interminable speeches which were made by hon. Gentlemen upon the Irish Bill—speeches in which nobody was fortunate enough to strike out any new lights, but in which everybody was successful in extinguishing all the old ones. The evil was daily becoming worse and worse.

> Speeches immeasurably long,
> Seem lengthening as we go.

He recollected that Mr. Jefferson, in one of his letters, remarked, that Franklin and Washington, though one of them was the founder, and the other the president of the new republic, had never found it necessary upon any question to speak more than fifteen minutes.

SUPPRESSION OF DISTURBANCES (IRELAND).] On the Motion of Lord Althorp, the House resolved itself into a Committee on this Bill.

The twelfth Clause having been put,

Mr. *Rotch* said, that at a late hour last night, he had moved, as an Amendment on the last clause, that the party accused should have a right to be present whilst the Judge-advocate, or his deputy, was addressing the Court-martial in reply to any objection, which he (the party accused) might have taken to the proceedings against him. He had then said, that it was customary for the court to be cleared of the prisoner and his friend, as his advocate was called, whilst the Judge-advocate was left with the court to assist its deliberations. On his stating that such was the practice he was contradicted. At that late hour of the night he was unwilling to enter into the argument, especially as his unsupported assertion might not have had much weight against the assertion of Gentlemen who were speaking upon a point connected with the practice of their own profession. He had, however, now brought down with him to the House the report of a Court-martial, certified to be correct by the signature of the deputy Judge-advocate, from which it appeared that on an objection taken by the prisoner, the court was cleared; that in the absence of the prisoner, the Judge-advocate replied to his argument in a speech which occupied a closely printed page; that after that argument the court made its decision, and that the court was then again opened, the prisoner called in, and the decision of the court read to him. Having thus established the fact that the Judge-advocate, or his deputy, were allowed to address the court, after it was cleared, against the prisoner in the absence of the prisoner, he should propose to add as an Amendment to this clause, a proviso enacting that no Judge-advocate, or his deputy, should act as counsel against the party accused in any such Court-martial. He contended that from the very constitution of human nature, a Judge-advocate, who had to marshal the evidence, and to examine the witnesses for the prosecution, could not be an impartial member of the court, nor could avoid acting, if he acted at all, as counsel against the prisoner.

Mr. *O'Connell* begged pardon of the hon. and learned Gentleman opposite; but he had an Amendment to propose, which, in point of form, must be put before that just proposed by the hon. and learned Gentleman. The clause stated, that the Lord-lieutenant should nominate and appoint one of his Majesty's serjeants-at-law, or counsel learned in the law to act as Judge-advocate. The responsibility attached to the appointment of counsel belonged, therefore, to his Majesty's Government. Now, he proposed to leave out the words "counsel learned in the law," and to substitute in their stead "or any barrister-at-law of not less than five years' standing." This would give the Government the power of choosing a Judge-advocate almost from the whole bar. To limit their choice to King's Counsel would be inconvenient, for King's Counsel in great business would not give up their ordinary professional emoluments to go into the disturbed districts, and King's Counsel not in great business might not possess those qualifications of capacity which, in cases like the present, were so desirable. An intelligent barrister of less standing would be much preferable to such a man; and, such being his opinion, he should propose the Amendment which he had already described.

Lord *Althorp* had no objection to the Amendment of the hon. and learned Gentleman. His chief reason for confining this appointment to King's Counsel was his desire to secure the attendance of professional persons of experience before the Court-martial.

Amendment agreed to.

Mr. Rotch then proposed his Amendment, as we have given it already.

Lord *Althorp* objected to the Amendment. It was monstrous to assert that, because it was the duty of the Judge-advocate to examine the witnesses against the prisoner, he was therefore so biassed against the prisoner as to be incapacitated from deliberating with the court. At the Quarter Sessions where counsel was not employed for the prosecution, it was the custom of the court to examine the witnesses against the prisoner, but he did not think that the hon. and learned Gentleman would, on that account, contend that the court acted as counsel against the prisoner.

Mr. *Wynn* had stated, last night, his objection to this part of the Bill—that objection had not been removed nor diminished by the observations of the noble Lord. His noble friend compared the functions of the Judge-advocate, at a Court-martial, with the duties of the Chairman at a Quarter Sessions, where no counsel was employed for the prosecution. There was a great difference between the situations of the two. The Chairman of a court of Quarter Sessions knew nothing of the charge against the prisoner until it was brought into court, when the deposition taken before a Justice of the Peace was, for the first time, handed up to him. But the Judge-advocate was the legal adviser who must be consulted before the prosecution was commenced. In point of fact, he was the public prosecutor; and whoever acted in that capacity must prepare the charge against the prisoner, and examine the witnesses, to support the prosecution before they came into court. There was, besides, another duty belonging to the Judge-advocate, as public prosecutor, which rendered it expedient that some such provision as that proposed by the hon. and learned member for Knaresborough should be adopted—he had to make an opening speech, describing the nature of the charge against the prisoner, and detailing the facts upon which it was founded. With these duties, his duties according to this clause would be inconsistent. In the case of General Whitelock, he remembered that the late

Mr. Ryder, then Judge-advocate, made an opening speech against the accused, and examined witnesses upon all occasions. It appeared to him that the best way of guarding against the evils of this system would be for Government upon every occasion, to appoint a fit and proper person to conduct the prosecution, and that the Judge-advocate should only appear as the adviser of the court. It was highly desirable that every member of a tribunal, of such a kind as it was proposed to institute, should come into court with his mind unprejudiced—which, with the duties which the Judge-advocate in his present capacity had to perform, was scarcely possible—and that after he had taken his seat he should be made acquainted for the first time with the charge and the evidence against the prisoner.

Mr. *Stanley* defended the clause as it stood at present. It was not intended that the Judge-advocate should get up for the prosecution the cases which were to be tried before these Courts-martial. His duty would be limited to advising the members of the court upon the evidence that was admissible, the legal bearing of the evidence, and other points of a similar character. He thought that there were other clauses in the Bill which showed that prosecutions instituted before these courts must be instituted by the Government; but if the Bill were not deemed sufficiently distinct upon that point, he should have no objection to introduce a clause providing that there should be a public prosecutor, and that that public prosecutor should not be the Judge-advocate.

Mr. *Cobbett* said, that no Amendment which could be made upon this, or any other clause of the Bill could cure the objection which he had to these Courts-martial altogether. The fault was in their constitution. They consisted of officers, whose promotion, whose degradation, whose very bread, depended on their subservience to the views of Government.

Sir *Robert Peel* agreed with the hon. Gentleman opposite that it would be indecent if a party sent to assist the deliberations of the Court-martial were to act as counsel against the prisoner. If he did so act, undoubtedly he ought not to be permitted to reply to the arguments of the prisoner, whilst the prisoner was absent and could not tell what fallacies of fact or argument he might press on the court. He was also of opinion, that if such a person had assisted in getting up the evidence for the prosecution, he was by that very circumstance incapacitated from acting impartially as a Judge. He would take that opportunity to say, that if he had been present at the division last night, he should have voted along with the majority, for he thought that all the benefits of the Trial by Jury were at present quite suspended in Ireland. He was sorry, however, that the tribunals created by this and the preceding clauses, as they had been so materially altered, were still suffered to retain the name of Courts-martial. They were not Courts-martial. They were very different in their construction from Courts-martial appointed under the Mutiny Act. Why, then, when they had abandoned the substance, did they retain a name that was so obnoxious? Nothing could be easier than to alter the name of these tribunals.

Lord *Althorp* admitted, that the remarks which had just fallen from the right hon. Baronet were deserving of consideration, but it was impossible to alter the title of these courts now, as the clauses which created them had been passed by the Committee.

Mr. *O'Connell* said, he would not prolong the discussion by proposing a new title for those courts, but if his Majesty's Ministers were at a loss for a name for them, he would suggest that of "revolutionary tribunals."

Mr. *Warburton* did not think that the Judge-advocate should be both prosecutor and Judge, and he should therefore propose an Amendment to that effect. Such an Amendment would prevent his having an opportunity of tampering with witnesses.

The *Solicitor General* said, that an Amendment was quite unnecessary, as it had never been intended by the Government that the Judge-advocate should be both Judge and prosecutor. It was intended that a separate prosecutor should always be appointed by the Lord-lieutenant. It would be considered even a breach of trust in the Judge-advocate if he were to take part in the trial as counsel against the prisoner.

Mr. *Warburton* then suggested that, as there were several kinds of Courts-martial, and as it might be difficult to ascertain, by a general reference to the Mutiny Act, how far the provisions of that Act referred to the present tribunals, it might be proper that the special provisions of the Mutiny Act which had reference to the present Act should be especially mentioned.

Mr. Rotch withdrew his Amendment.

Mr. *O'Connell* expressed a hope that some provision would be made for having the Courts-martial open courts. There was nothing in the Bill as it stood for or against that course; but he should wish to see it made a subject of positive enactment. He thought also that the counsel or agent of the accused should have power to take notes of the evidence. This was the more necessary, as cases had occurred where it was held by Courts-martial that none had a right to take notes of the evidence but the Judge-advocate. He wanted these two things—that the court should be open, as the Courts of Oyer and Terminer; and that the counsel of the accused should have power to take notes. The hon. and learned Gentleman moved an addition to the clause to that effect.

The *Solicitor General* had no objection to the courts being open, with only this limitation—that they should be closed while the members considered their verdict. [Mr. O'Connell expressed his assent to this limitation.] As to the power of taking down the evidence by the counsel or agent of the accused, he did not think the mention of such a permission necessary, but he had no objection to its introduction.

Amendment withdrawn.

Clause agreed to, as were the 13th, 14th, 15th, and 16th clauses.

The 17th Clause, which enacts "that any person liable to be prosecuted within any proclaimed district for any offence against 27th George 3rd, 50th George 3rd, 1st and 2nd William 4th, and 2nd and 3rd William 4th, or for any offence against the Act, may be tried by such Courts-martial as the Bill appoints; and which Courts-martial may sentence to transportation for life or for a term of not less than seven years; but not to impose the penalty of whipping," &c.

Mr. *O'Connell* suggested that some provision should be introduced so as to make it quite clear, that offences committed before the Bill was passed should not be prosecuted under it.

Mr. *Stanley* thought such a case was already amply provided for by the Bill, but he had no objection to introduce words agreeable to the hon. and learned Gentleman's suggestion. Finally words were introduced, exempting all offences from being prosecuted under this Bill committed subsequent to its passing, and before any district was proclaimed.

Mr. *Ruthven* proposed an Amendment, to prevent these Courts from inflicting any other corporal punishment than whipping.

Mr. *Warburton* thought, that words like those suggested were proper, to make the Bill accord with the provisions of the Mutiny Act.

Mr. *Stanley* had no other objection to the words, but that they implied the possibility of such tortures being now used as had formerly been employed.

Mr. *O'Dwyer* thought that some limitation was necessary. He recollected that four years ago a case of horrid cruelty occurred at a gaol in Dublin. Thumb-screws were applied; bolts were put in the mouth. The evidence of what he stated was on the Table of the House; and the gaoler, who had for these cruelties been found unfit for his office, had been made a stipendiary Magistrate of in a distant county. That showed the baneful ascendancy of faction in Ireland.

Amendment agreed to, and Clause agreed to; as was the 18th clause, with verbal Amendments.

The *Solicitor General* observed, that the Committee had now come to one of the most important clauses of the Bill—that which related to domiciliary visits by the Magistrates, or in virtue of their warrants, between sunset and sunrise, for the purpose of ascertaining the presence or the absence of the inhabitants. It was allowed on all hands to be of the greatest importance that the inhabitants of any House in a proclaimed district should be compelled to furnish the means of ascertaining whether they were at home or abroad; and for that purpose it had been supposed necessary to give the Magistrates, or the persons authorised by the Magistrates, the power of breaking and forcing an entrance into any House under the circumstances in question. His Majesty's Government, however, were very anxious to mitigate the severity of this enactment, and to lessen the inconveniences which it might occasion. They had, therefore, prepared an Amendment, which he should have the honour to propose, and which they hoped would meet the approbation of all parties, and at the same time secure the object which the clause had in view, without rendering it necessary to break or force an entrance into any of the houses. It was proposed that, in the first instance, the Justice, or any person with warrant of justice, accompanied by a Commissioned Officer or Chief Constable, should go to the house, and require the male inhabitants to come forth, and thus enable the authorities to ascertain that they were not absent; and that if, on the ground of illness, or on any other ground, the male inhabitants, above the age of fourteen, should refuse to come forth, the persons authorised should then have power to demand admission into the House, but should not have power to enter without the leave of the inhabitants, and that if they were not allowed to enter with such leave, then the male inhabitant or inhabitants should be deemed and taken to be absent, and should be subject to the operation of the Act. Such was the substance of the proposed Amendment; it would have the effect of preserving every man's house as his castle; and none of the inconveniences or abuses which had been anticipated by the hon. and learned member for Dublin, and other hon. Members, could possibly arise.

Mr. *O'Connell* moved that the immates should be called "by name."

Lord *Althorp* objected to it, as, thro g h a mere mistake the object of the Bill might be defeated.

Mr. *O'Connell:* Yet you would make a man liable to the punishment of a misdemeanor without knowing his name.

Captain *Yorke* said, that the Bill had been so altered and modified since its introduction, that it could answer no useful purpose whatever. Indeed its only effect would be to add to the irritation of the Irish people, so that the sooner it was thrown into the fire the better.

Mr. *O'Connell* would willingly second that Motion, but there was no chance of its being made, and if made, not the least chance of its being agreed to. At the same time he must say that he was so anxious to put down Whitefootism, that he would add to the efficiency of the present clause by making it compulsory on every farmer and cotter to furnish the police authorities with a list of the male inmates of his dwelling, a duplicate of which should be posted behind his door.

Mr. *Walker* was indeed surprised that a proposition for adding to the coercive measure against the Irish peasant and small farmer should, of all men, have emanated from the hon. and learned member for Dublin, who was ever vaunting himself as being their uncompromising defender.

Mr. *O'Connell* would not be deterred by any absurd calumny from doing his duty to the people of Ireland. It would be a protection to the farmer to have his inmates called over by name, and he would, therefore, move as an amendment upon the Solicitor General's Amendment, that the persons summoned should be called over, and answer "by name."

Mr. *Stanley* had no objection to the learned Gentleman's suggestion, provided that the whole clause were, in a future stage, so modified as to enable the police to obtain lists of the names of the inmates.

Mr. O'Connell's addition of the words "by name," and the Solicitor General's amendment, agreed to.

On the "search for arms and other offensive weapons, with a penalty on detecting them on the premises of a person not duly authorized to possess them," Clause being read,

Mr. *O'Connell* proposed, as an Amendment, that the penalty should obtain only when it was proved that the arms were "knowingly" in the possession of the individual on whose premises they might be found, the *onus probandi* to lie on the finding party. Without some such provision, no man would be safe from the malice of an enemy who might hide arms on the premises of a person he might wish to injure, and who could hardly be expected to prove his ignorance of their being so concealed.

The *Solicitor General* conceived that the Amendment of the learned Gentleman would defeat the efficiency of the clause altogether. In larceny it was sufficient to show that stolen goods were found in the possession of a person accused, who was thereby compelled to prove that he had obtained them in a proper manner, if he could; if he could not, it was fairly assumed that he had obtained them in an unlawful manner. And so with respect to the search for arms clause. Besides, how could it be proved that the person was "knowingly" aware that arms were on his premises?

Mr. *O'Connell* maintained that the constitutional principle was, that the man should be presumed to be innocent till he was proved to have been guilty. In larceny previous ownership, which was always proved on the outset of the charge, was a *primâ facie* evidence of guilt. No such *primâ facie* evidence was required by the present clause. If his Amendment should not be adopted, he trusted at least that the penalty would only be for arms found in the "dwelling-house."

The Amendment negatived.

Mr. O'Connell moved that the words "dwelling-house" be inserted in the Clause.

The *Solicitor General* had no objection to make a compromise with the hon. and learned Gentleman. He had no objection to exclude from the operation of this clause, arms found in outhouses, unless the person in whose outhouse they were found were proved to be knowingly in possession of them. If the hon. and learned Gentleman would consent to include within it arms found in any tenement under the lock of the owner.

Mr. *O'Connell* defended the propriety of his Amendment, but would have no objection to close with the proposition of the hon. and learned Gentleman, and to include arms found in any tenement under the lock of an Irish peasant. The lock of an Irish peasant! The hon. and learned Gentleman knew little of the condition of the Irish peasantry or he would not have used that phrase. The Irish peasant was not rich enough to buy a key, let alone a lock to his cabin. If he were, you would hear no more of these Whitefoot outrages; for having property of his own to preserve, he would not dream of injuring the property of others.

Amendment negatived, and the Clause was ordered to stand part of the Bill.

The 21st Clause, which proposed to enact "that any person selling or circulating any seditious paper in a proclaimed district should be deemed guilty of a misdemeanor, and should by and under the sentence of a Court-martial be liable to imprisonment for not more than twelve months, unless he discovered by whom he was so employed," was struck out of the Bill.

The 22nd Clause read.

Mr. *O'Connell* called the attention of the Committee to the passage which rendered any person guilty of a misdemeanor who should "by menaces or otherwise," deter any witness from giving evidence. Now there were legitimate menaces, as, for instance, if a man went to another, and informed him, that if he did not give his evidence honestly and fairly, he should be indicted for perjury. Now you ought not to prevent such a caution, or it might be called such a menace, from being made to a witness. The words "by menaces or otherwise" were at once too vague and too comprehensive.

The *Solicitor General* defended the clause. Such a menace as the hon. and learned Gentleman had described was a most improper menace when applied to a witness who had not been examined. It would certainly pervert the course of justice and tend to deter witnesses from coming forward, if the accused party were permitted to say to them, "If you give evidence against me, I will indict you, I will have you set in the pillory, or, it may be, sent to Botany-bay to repent of your perjury."

Mr. *O'Connell* contended that there was no menace in telling a witness that if he swore falsely, he should be indicted for perjury. He objected to the words of the clause, because "menace or otherwise" included every kind of dissuasion, even of friendly dissuasion, which one man might employ in conversation with another to prevent him from swearing unintentionally to that which in point of fact was false, although he did not know it to be so. He had no objection to let the words stand, so far as Jurors were concerned, for menace and persuasion were equally illegal as applied to them; but he could not allow them to stand as applied to witnesses, for in matters of identification it might be necessary to dissuade a person who was mistaken as to the identity of another from swearing as he originally intended.

Lord *Althorp* thought, that the hon. and learned Gentleman had argued this clause very partially. He was to be deemed guilty of a misdemeanor who "by menaces or otherwise" deterred a witness, not from giving false evidence, but from "appearing" at all as a witness.

Mr. *Cutlar Fergusson* thought the words of which the hon. and learned Gentleman complained to be absolutely necessary to the Bill. Instead of weakening, he would rather strengthen the enactments of this Clause.

Clause amended, to stand part of the Bill.

The 23rd Clause agreed to.

House resumed; Committee to sit again.

Stafford Indemnity Bill.] Mr. Spring Rice moved the Order of the Day for the Second Reading of this Bill.

Captain *Chetwynd* put it to the good feeling of the hon. Member to postpone the Second Reading.

Mr. *Spring Rice* said, that his right hon. friend who brought forward the Bill was not present, and he could not answer for his consent. He might observe, however, that as the objection which was taken to a previous Bill, with regard to particular names having been introduced, had, in this been obviated; the Bill had been made general. The Bill had been extended to all cases, in order to lead more certainly to the detection of bribery and corruption. As the previous Bill was entertained by the House, and reached the step of a second reading; but was then withdrawn on account of the objection which had been obviated, he trusted that the hon. Gentleman would see no reason for not reading the Bill a second time.

Captain *Chetwynd* could not accede to the wish of the right hon. Gentleman. The right hon. Gentleman must be aware that the Bill in question accused the greater portion of the constituency which he had the honour to represent, of being guilty of bribery and corruption. The right hon. Gentleman must be aware that he had a great responsibility attaching to him on this occasion. The borough of Stafford contained nearly 7,000 inhabitants, and upwards of 1,100 voters; many of whom were men of high character and respectability. It was for the purpose of watching over their rights and privileges, and defending them, as far as he was able, that those individuals had sent him to that House; and he should ill deserve their confidence, did he not oppose a Bill which not only cast imputations on that constituency, but which might hereafter vitally affect their rights and privileges. That was an unprecedented Bill, at this stage of the business arising out of a disputed election. No Committee had been appointed, no case made out, no ground whatever laid for bringing forward a measure of such great moment as that. Some case ought to be made out, before such a Bill should be entertained. The preamble contained an allegation which it was most consistent with the practice of Parliament should be proved before the measure were proceeded with. He was sure that no person could be more anxious than he was, that justice should be done; but in such a case, the utmost caution should be observed before the House appeared to give the slightest sanction to the sweeping allegation contained in that Bill; not the smallest portion of which had yet been proved. The effect of the Bill would be, to give an indemnity to the greater offenders, while those who had been guilty of minor offences would be, exempted from its operation. He hoped that the principle of English law, that every one is innocent till he is proved to be guilty, would be observed. He entreated the House to pause and consider well before proceeding any further with this measure, until not merely a common, but a strong case in support of it be made out.

Mr. *Gisborne* thought delay was unnecessary. The great majority of the respectable inhabitants of the borough of Stafford were desirous that the Bill should pass. It would not in the slightest degree affect the seat of the hon. Member who had just spoken. His return was not petitioned against; there was not the slightest pretence for the House suspecting that his election was irregular, or effected by anything like improper means.

Mr. *Forster* in answer to the observations of the hon. member for Derbyshire, said, that he had received information which enabled him to state that the respectable part of the constituency of the borough of Stafford, who were free from any imputation of bribery, were decidedly averse to this measure.

Mr. *Hume* could not consider that the hon. Member who opposed the Bill, or any other hon. Member was anxious that bribery should be exercised with impunity. If report were true, there had been wholesale bribery at Stafford, and it was difficult to get at the information necessary to establish the truth of that rumour without an indemnification of witnesses. The object of the Bill was to afford that indemnity; and what objection there could be to it on the part of any hon. Member desirous of punishing bribery and corruption wherever it existed, he could not conceive. What injury would it be to the hon. Member's constituency if they were innocent? It would not make them guilty; and none of the respectable inhabitants of that town could object to it. They must wish that the character of the place should be cleared up, and the imputations, upon investigation, be removed, which had been cast upon it. They must be anxious to have the stain which had so long been upon their town wiped away. In no way could that be done but by passing this Bill. Justice would then be done to Stafford and to the House. He hoped then, that the right hon. Gentleman would press the Motion for the second reading now.

Mr. *Shaw* said, the question to be considered was, not whether the constituency of the borough of Stafford, or any other parties, consented to this Bill; but whether there should be an indemnity granted to all persons who might come forward as witnesses before the Committee which was to conduct the inquiry. If it were granted, would not all persons who were hereafter called on to give evidence before an Election Committee, look for an indemnity also? Were they to expect that in every case of a petition against one or both of the sitting Members for any place, an Indemnity Bill was to be brought in to shield the witnesses on the inquiry which must ensue. It was usual to confine an indemnification to cases in which the disfranchisement of a constituency was involved.

Mr. *Rigby Wason* said, that the House had already decided the main principle concerned in this question, by the postponement of the Election Committee appointed to inquire into the petition presented against the return of one of the Members for the borough of Stafford, until a certain period, that was for the purpose of allowing this Bill to pass. It was incumbent on them to read the Bill a second time now, and proceed with it in order that the Committee might go on with its labours.

Sir *Oswald Mosley* observed, that by the preamble of this Bill, the whole of the borough of Stafford was declared to lie under the disgrace of having been notorious for corrupt practices. It did appear to him that as a petition was presented against the return of one of the sitting Members for that place, some report should have emanated from that Committee before a Bill of this kind had been even brought in. Something like evidence ought to have been produced before assuming the fact that the borough had been "notorious for long-continued and general corruption" in the words of the preamble. It was too much for the whole of the burgesses of Stafford in the mass to be involved in this indiscriminate charge. He could state, that among them there were many individuals as respectable and of as high a character as were to be found among the constituency of any hon. Member. It had been properly observed by the hon. and learned member for the University of Dublin, that if this principle were once admitted, of indemnifying witnesses in the manner of that Bill, there was no possibility of saying where it would end. Any hon. Member who had been guilty of corrupt practices at any election, might come forward, and, on a petition being presented, obtain a Bill of Indemnity for all witnesses on the inquiry to be instituted; and turning round, might himself be screened from all consequences, give evidence against the place for which he was returned, on account of the very corrupt practices which he had himself been a party to. It would be better to put off the further consideration of the Bill.

Mr. *Warburton* thought the objection to the Bill on account of the allegations contained in the preamble not having been proved, might be a very good reason for altering that preamble in the Committee, but could be none for postponing the second reading. The hon. Member said, that they ought to proceed no further, because no case had been made out. Why, if there were strictly legal proof of bribery, that Bill would not be necessary. It was introduced because, otherwise, legal evidence could not be obtained. But a *primâ facie* case had been made out: for the hon. Member who introduced the Bill, stated, on the authority of communications made to him by many of the electors, that there were facts which would be disclosed before the Committee which might fully justify the assertions contained in this preamble. The House, therefore, would be fully justified in passing this measure.

Mr. *Pryme* said, that the argument in the present case amounted to this; you ought not to have an opportunity of doing a thing because you had not done it. The object of the Bill was, to give an opportunity of proving certain circumstances. A witness might refuse to answer a question, because he might, by so doing, criminate himself. This Bill would completely indemnify him, and he could then do so. Of all the extraordinary arguments he had heard, the one then used was the most extraordinary:—"You shall not be allowed to produce proof because you have not already produced it." If ever there was an argument in a circle that was one.

Bill read a Second Time.

OBSERVANCE OF THE SABBATH.] Sir *Andrew Agnew* said, that he rose for the purpose of submitting the Motion which he had brought before the House yesterday, for leave to bring in a Bill to alter and amend the law relating to the observance of the Lord's Day. At that very advanced hour of the night (two o'clock) it was not his intention to occupy the attention of the House by going into any explanation of the grounds on which he should ask the House to sanction this measure. That explanation he would defer to the second reading of the Bill. All he should now ask was, for leave to bring it in and let it be read a first time. He would then move that it be printed, and fix the second reading to a distant day—some five or six weeks hence—he would say that day six weeks. He did hope that, considering the great importance of the subject, and the numerous petitions which had been presented from all parts of the country in support of it, the House would accede to his proposition.

The hon. Baronet then moved, "that leave be given to bring in a Bill to promote the better observance of the Sabbath."

Mr. Shaw seconded the Motion.

On the Question being put,

Mr. *Warburton* expressed a hope that the hon. Baronet would not press his Motion at that hour, as many hon. Members had left the House, who had not expected that the Motion would be brought forward that night; but who, if they were aware of it, would, he knew, oppose the Motion even for the introduction of the Bill. The House ought not to be called upon to assent to a proposition of this kind without hearing an explanation of the grounds on which it was brought forward. That explanation the hon. Baronet had not given; and, as it was too late to enter into the subject at that hour, he did hope, that the Motion would not be pressed; if it was, he should feel it his duty to take the sense of the House upon it.

Mr. *Finch* said, that as the Motion had been prefaced for some weeks by the presentation of a vast number of petitions in its favour, bearing the signature of many thousand persons in all parts of the country, and as there were many others still to be presented on the same subject, he did hope that the House would accede to the Motion of the hon. Baronet. The petitions in its support were, as he had said, signed by many thousands; but he might add with safety that they expressed the sentiments of millions of the inhabitants of these kingdoms, who most anxiously desired that some legislative provision should be made for the due observance of the Lord's Day. These were not the opinions of one class or body of men. The petitions were signed by men of all ranks and denominations throughout the country, who, whatever might be their differences in other respects, were all agreed on this one important point. Under these circumstances he did think, that it was not quite fair in the hon. Member to oppose the Motion for leave to bring it in—a course not usual even in the cases of Bills whose principle might be matter of dispute.

Mr. *Cutlar Fergusson* hoped that on a subject in which a very large portion of the community felt so deep an interest, an opposition would not be pressed against the introduction of the measure.

Lord *Morpeth* considered that as hon. Members must be aware, that if this Motion were discussed in a full House it would be carried by an overwhelming majority, the opposition to it in the present stage was vexatious. In the propriety of the Motion he fully concurred, and in doing so he felt that he expressed the opinions of the vast majority, not alone of his numerous constituents, but of the empire at large.

Mr. *Petre* said, that he had been instructed by his constituents to support this Motion, which he did most cordially. He apprehended that a very erroneous notion had gone abroad with respect to the object of the proposed Bill. It was thought that it was intended by it to curtail the innocent amusements of the poor. Nothing of the kind was intended. The chief object of it, as he understood it, was, to prevent Sunday trading, which tended to so many immoral results, and which was also injurious to the fair trader who was anxious to make the Sabbath what it ought to be, a day of rest.

Mr. *Hume* said, that he did not know what were the provisions of the Bill which the hon. Baronet asked leave to introduce, but the subject was one which interested so large a portion of his constituents of all classes, that he should give his support to the Motion, though, at the same time, he should not consider his acquiescence in the introduction and first reading of the Bill as at all pledging him to its provisions when they should become the subject of future discussion. Under these circumstances he would request of his hon. friend, the member for Bridport, to withdraw his opposition to the Motion.

Mr. *Hawes* would give his cordial support to the Motion, as one from which he anticipated the most important results to the community. He could state that, amongst his own constituents, a very large body were anxious for the introduction of a measure of the kind to secure the due observance of the Lord's Day.

Mr. *Lamb* hoped, that after the laborious exertions of the Committee which had sat on this subject last year, and after so many petitions had been presented to the House in support, the House would consent to the Motion of the hon. Baronet, which was only a following up of the steps taken in the last Session on that important question.

Mr. *Shaw* observed, that no Member of the House was more courteous in giving way in matters where the convenience of the House was concerned than the hon. member for Bridport. He did hope, therefore, that the hon. Member would not depart from his usual courtesy—by opposing what was now proposed by the hon. Baronet, as that course would certainly tend to the convenience of all parties. Many petitions in favour of such a measure had been intrusted to him from different places in Ireland, which he had not yet had an opportunity of presenting—nor did he know when he might have such opportunity, according to the new arrangement for receiving petitions. But whenever they might come before the House, they would show that this was a subject on which a large portion of the people of Ireland felt an interest equally strong with that of their fellow-subjects in England.

Mr. *Hutt* expressed a hope, that the hon. Member would not persevere in opposing its introduction.

Mr. *Pryme* said, that he had a petition to present on this subject, and in favour of such a measure as that for which the hon. Baronet now moved. He would say that, in its prayer, he fully concurred, and therefore he would give his support to the Motion before the House.

Mr. *Ruthven* said, that he had as large a constituency as most hon. Members in that House, a considerable portion of whom were favourable to some measure of the kind proposed by the hon. Baronet.

Sir *Michael Shaw Stuart* supported the Motion. He had several petitions on the subject, which he would present on the first opportunity.

Mr. *Warburton* repeated his objection to the introduction of a measure in the absence of many hon. Members, who would oppose it if they were present. He must also observe, that he expected a declaration of the objects of the Bill before it was submitted to the vote of the House. He would not, however, object, if the hon. Baronet would consent to let the debate on the subject be adjourned. It was not, in his mind, sufficient that they had the Bill itself instead of a speech. They ought to have also stated to them the grounds on which the Bill rested. The omission of those grounds was getting quietly over the first stage.

Sir *Andrew Agnew* did not think, that this was getting over the first stage so very quietly, considering the labours of the Committee last year. That the feeling of the country had become more general in favour of such a measure since then, was proved by the number of petitions which had been presented in favour of it. He possessed fifty-four petitions on the subject, but had not yet had an opportunity of presenting them. It was not his fault; neither could the absence of hon. Members, who might have taken a part in the discussion, be urged as an objection to his Motion, as full notice of it had been given.

Mr. *Warburton* was not disposed to attach much weight to the evidence before the Committee, which he looked upon as *ex parte.*

Sir *Andrew Agnew* said, that a great part of the evidence given before the Committee was by parties who had come voluntarily before it.

Mr. *Warburton* moved, as an Amendment, that the debate be adjourned till to-morrow.

The Amendment negatived, and original Motion agreed to.

Bill read a first time.

HOUSE OF LORDS,

Thursday, March 21, 1833.

MINUTES.] Papers ordered. On the Motion of Earl FITZWILLIAM, an Account from his Majesty's Consuls abroad, of the Prices of Corn in the different Markets, up to the latest period they could be made out.

Petitions presented. By the Bishop of ROCHESTER, Lord BEXLEY, the Earl of SHAFTESBURY, Marquess of STAFFORD, Lord KING, Lord SUFFIELD, and the Bishop of EXETER, from a Number of Places in England and Scotland,—for the Better Observance of the Sabbath.—By Lord KING, from Stayley Bridge, for Emancipation of the Jews; from two Places in Ireland, for the Abolition of Tithes; and from Chichester, for allowing Dissenters to celebrate Marriage in their own Chapel.—By Earl FITZWILLIAM, from Somersham-with-the-Soak; and by Lord MELBOURNE, from Melbourne, for the Abolition of Slavery.

JURIES (IRELAND).] Lord *Plunkett* rose, pursuant to notice, to bring under the consideration of their Lordships a Bill, which, in a form not very different, had already been before the House. Their Lordships would recollect, that a Bill, the same in its general principle, had been sent up to them in a former Session from the other House of Parliament—that that Bill had been read a first time, and that, upon proceeding to discuss it on the second reading, it was thought that it should be referred to a Committee, before the House proceeded any further; and it was also thought expedient that a reference should be made to the Judges in Ireland, with a view to ascertain their opinions on the principle and details of the measure. Those learned persons gave their opinions on the Bill, and recommended some alterations in it, to which he would presently call the attention of their Lordships; but he should observe, at the same time, that the Judges of Ireland expressed a general concurrence in the greater part of the provisions of the Bill, though, as he had said, they differed in some points from the framers of it. As the opinion of these learned persons was not given in consequence of any formal reference made by the House to them, he could not lay it before their Lordships as an official document, but he had furnished a copy of that opinion to several noble Lords opposite, and when the Bill came to be read a second time, they would have the means of being guided as far as they thought it expedient, by the opinion to which he had been referring. As he could not suppose that their Lordships intended to discuss the Bill on its first reading, it would not be then necessary for him to do more than call their attention to the leading points of the Bill. One of its objects was, to consolidate all the laws relating to the qualification and return of Jurors to serve in Ireland—to repeal all existing statutes that interfered with the provisions of the intended measure—and to combine them all into one law. It was also an object of the Bill to assimilate the law of Ireland as much as possible to that of England—at least to assimilate them as completely as the different situations of the two countries would permit. The noble Lord then stated the qualification proposed by the Bill, namely, a person to be between the ages of twenty-one and sixty, and to be possessed of 10*l*. a-year, arising out of lands, for a county Juror; and having a house or tenement in a town of not less than 20*l*. a-year for a town Juror. The qualification required for Jurors of counties of towns the same as that for the Jurors of counties. In England, the noble Lord continued, under the Act of Sir Robert Peel, the qualifications of Jurors were ascertained by the Overseers of the Poor; but, as in Ireland, they had no officers which were exactly analogous to the parish overseers, they endeavoured to find the best substitute they could, and those were the barony collectors. The Judges certainly thought that those collectors were not the fittest persons for the purpose, but they had not suggested any better; and he confessed, that, so far as he had been able to see, none better could be found; and he was sure that, upon consideration and inquiry, the House would see that better could probably not be found. According to the former Bill, provision was made that the persons making out the lists should post them upon the doors of churches and chapels. Now, that he thought objectionable, and had, therefore, not included it in the Bill which he then meant to propose; but he did intend, that the Justices at Sessions should have authority to ascertain the qualifications of the persons placed upon the Jury lists. With all these alterations, however, he begged their Lordships to recollect that the Bill would still not do away with the privileges of the Sheriffs, in reference to their selections from the panels, for it would only go to furnish them with the means of forming their panels. Their Lordships would also observe, that the Bill was by no means the first interference which had taken place with the functions of Sheriffs, there having been several precedents, as he could readily show them, for alterations similar to those which he intended to introduce. He next came to the subject of Special Juries. With respect to them, he proposed, that in all criminal cases, the Courts might, on affidavits of either the prosecutor, or the person prosecuted, direct a Special Jury to be impanelled, which was adopting one of the features of Sir Robert Peel's Bill. According to the Bill which he intended to introduce, a list must be made out, with a view to a Special Jury, which should include all sons of Peers, being qualified, all Baronets, all Knights, all Magistrates, and persons who had served on Grand Juries, and all other persons possessing property of a certain amount; and if those were not found sufficient, recourse might be had to the books of the Sheriff, in order to supply a competent number. He ought to observe, that lists of those qualified to serve on Special Juries were to be made out in alphabetical order, the names were to be numbered, and the numbers were to be cut off and thrown into a box. From that box, the Sheriff or his assistant was to draw forth forty-eight numbers, and the names answering to those numbers were to be the Special Jurymen, the number being afterwards reduced to twelve, according to the usual practice. The alteration which he contemplated would have the effect of assimilating the Irish to the English law in this particular, and, as he thought, of effecting a great improvement at the same time. He had but one further observation to make, which was, that heretofore the payment for Special Juries was at the rate of one pound for each Juror; but now he proposed that any sum not exceeding five pounds might be awarded by the Court. He might observe, that the Judges did not approve of this clause, they thinking that there ought to be no limitation. He should content himself by merely laying the Bill on the Table, reserving any further observation until it came before them for a second reading.

The Earl of *Wicklow* felt considerable satisfaction in perceiving that the Bill had been prepared in conformity with the recommendation of the Judges.

Read a first time.

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HOUSE OF COMMONS,

Thursday, March 21, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. VERNON SMITH, Copies of the Annual Account of each Burgh in Scotland made up according to the Act 3rd George 4th, cap. 91, for each of the five years preceding Michaelmas, 1831, inclusive; with an Account of the Hospitals, Harbour Dues, Schools, &c.

Petitions presented. By Mr. WARBURTON, from Queenborough, against the Abuses of the Corporation.—By Sir M. W. RIDLEY, Lord MILTON, Mr. BLACKSTONE, an HON. MEMBER, and by Mr. VERNON SMITH, from a great Number of Places,—against Slavery.—By Lord HENNIKER, Sir JOHN REID, Lord MILTON, Mr. BLACKSTONE, and by Sir M. W. RIDLEY, from Swinton, Newcastle-upon-Tyne, and other Places,—for the Better Observance of the Sabbath.—By Mr. WARBURTON, from Bridport, against the Beer Act.—By Major MACNAMARA, from three Places in Ireland, against the Disturbances (Ireland) Bill.—By Mr. TOOKE, from St. George's, Bloomsbury,—for the Better Observance of the Sabbath.—By Mr. FRYER, from Wolverhampton, for the Repeal of the Septennial Act, and the Reduction of Taxation.

BUSINESS OF THE HOUSE.] Lord Althorp seeing the hon. member for Birmingham (Mr. Attwood) in his place, wished again to ask him whether he would persevere in the Motion of which he had given notice for this day.

Mr. *Thomas Attwood* replied that it certainly was his intention to persevere.

Sir *John Wrottesley* thought, he did no more than his duty in endeavouring to dissuade the hon. member for Birmingham from persevering. Being a very old Member of the House, he could assure the hon. Member that it would be for the disadvantage of those whose interests his Motion was intended to promote if he persevered. The Motion would not meet that attention which it ought to receive. The most important Motion of the Session ought not to be brought forward in opposition to the general sense of the House, which was, that the Irish Disturbances' Bill should be persevered in until it was disposed of.

Mr. *Thomas Attwood* said, on account of the importance of his Motion, it was his intention to persevere.

Sir *William Ingilby* said, he had a Motion on the paper for the repeal of the Malt-duties; and, though he was anxious not to throw any difficulties in the way of the public business, he really could not consent to postpone it. No doubt the Irish Disturbances' Bill was a very important measure; but the people of England had also a right to be heard in that House. The agricultural interest of the country was deeply interested in the question he was about to bring forward; and if he consented to its postponement he should have no opportunity of bringing it forward until the end of the Session. In order that the agricultural interest might obtain a hearing, he had placed his Motion on the order-book at an early period of the Session, and he should now maintain its precedence over the other Motions for the day. The question as to the Repeal of the duty on malt, he contended, was one of the most vital questions that could be entertained by that House or the country.

The *Speaker* inquired whether the hon. Baronet had resolved to proceed with his Motion.

Sir William Ingilby replied in the affirmative.

Lord *Althorp* said, that as the hon. member for Birmingham had determined to persevere, he felt he could not ask the hon. Baronet to postpone his Motion.

Sir *Edward Knatchbull* expressed a hope that the hon. Baronet would not persevere in bringing forward his Motion that night; owing to the attention of the House being fixed upon another very important and pressing subject, it was impossible for them to give the subject of the Malt-tax the consideration which it deserved. He, therefore, hoped the hon. Baronet would consent to take some future day, when the matter could undergo that discussion which, from the general interest taken in it by the agricultural classes, it was important, for their satisfaction, it should receive.

Sir *William Ingilby* resisted the imputation which, as he asserted, the hon. Baronet, the member for Kent, evidently wished to cast upon his motives in bringing forward his Motion on the subject of the Malt-tax on the present occasion—namely, of wishing to sink the agricultural interests lower than they now were. He was as true and as warm a friend to the agricultural classes as the hon. Baronet himself;

and he was best performing his duties to those classes by endeavouring to impress on the House the necessity for affording them some relief.

Sir *Edward Knatchbull* regretted to see the hon. Baronet under so great a mistake with respect to what he had said on the subject of his Motion. All he had asked the hon. Baronet to do was, to postpone his Motion until it could receive that consideration which, from its importance, it deserved; and which, owing to pressing business before the House, it could not that night receive. He was far from imputing to the hon. Baronet any desire to sink the agricultural classes.

MALT DUTIES.] Sir *William Ingilby* resumed. It had been decided, as he understood by the noble Lord on the Treasury Bench that he was to go on with his Motion; and he certainly felt, from its importance, that he was fully justified in calling the attention of the House to the subject. He believed, in the course of the observations which he should feel it his duty to make, that he should be able to establish such a case in favour of his Motion as would induce the noble Lord to give way to his generous feelings in behalf of the agricultural classes, and to remit at once the whole of that odious and detestable tax, the Malt-duty. The first notice which he found of this tax occurred in the reign of William 3rd, when it was imposed, and from which period might be dated the commencement of those evils under which the agricultural interest was labouring, from the extreme hardship and oppression inflicted on it by the malt and other similar taxes. It afterwards went on progressively increasing in the reigns of George 2nd and George 3rd, and when they came to the memorable period of the French war—of that war which this country had carried on against the liberties of France—this tax upon the beverage of Englishmen was increased till it amounted to 5*s.* a bushel, or 2*l.* a quarter. Then it was that all the powers of the Excise were put in motion; then the whole race of "runners" arose, and then it was, that the excisemen became entitled by law to make those frequent visits during the process of converting barley into malt of which the maltster so justly complained. Barley, he believed, was now at a low price in Norfolk—he understood that it was about 20*s.* a-quarter there; but that very barley before it could be made into malt and brewed into beer, that very quarter of barley would cost upwards of 3*l.* His own county was a large barley county. It produced, he believed, about 500,000 quarters. Barley paid with them, in the process of malting, twice as much as the value of the produce when it was taken from the land. This, therefore, was a most ruinous tax, and he hoped that Government would give it their consideration, and consent to remit it. Without going into any more figures, the correctness of which might be disputed, he should take another view of this tax; and looking at it in a moral point of view, he was prepared to assert, that if there was anything calculated to brutalise the country, it was the tax upon malt. He could easily show how it did this. The farmer who had labourers in his house formerly gave them beer with their meals, and they took the beer with the farmer's servants and boys in his house. The farmer brewed good wholesome beer, when he gave it in this way to the labourers and servants. Now he was not able to do so any longer, on account of the great expense; and what was the consequence? The farmer's servants, labourers, and the boys, were driven from his house to spend their time in those abominable places which had received the name of the Tom and Jerry shops. He wished to know whether the company they met there was a good substitute for what they had at the farmer's table, or whether the stuff they now drank was equal in character to the old national Sir John Barleycorn. He believed, that most of the beer shops were places of refuge for the thief and the vagabond, and Ministers could not have devised a better Bill to brutalise the people than that called the "Beer Bill." He should leave out of the question altogether the matter of the Hop-duty, for the Gentlemen who came from the hop counties wanted to make that a question of itself, and they would set themselves to work upon that, but he did trust that Ministers, when they granted the repeal of the Malt-duty, would give in the hops as a matter of course, for without good and cheap hops, they could not brew good and cheap beer. He was sure that almost all the depredations committed of late, with much of the incendiarism, which was altogether a modern evil, might be traced to the Tom and Jerry shops. Fifty years ago every labourer was able to brew his barrel of beer; but he should like to know an instance where the peasantry did so now. No; they were too much depressed; they were too hardly ground down by the enormous burthens they had to sustain; and they, unable to get comfort at home, or their mug of beer with their food, were driven to seek its substitute at the shops, where they were excited to acts of incendiarism. His hon. friend, the member for Kent, had had, he feared, some experience of what agricultural distress was within the last few years; and he called upon him, confidently, to support his present Motion by voting for the abolition of the Malt-tax. Propositions were constantly coming to the noble Lord on the Treasury Bench for the repeal of taxes which pressed upon the people unduly; and what tax could be more justly taken off than that on Malt, or what tax would afford more universal relief, if repealed, than that? He hoped, therefore, to find the support within those walls which people out of doors had expressed their desire he should have from their Representatives; and he hoped, also, that the hon. Baronet, the member for Kent, would, notwithstanding the slight misunderstanding which had occurred between them, also give him his vote. The hon. Baronet then sat down.

The Speaker called upon him to read his Motion.

Sir *William Ingilby:* I move that the Malt-tax be repealed.

The *Speaker:* Will the hon. Member be pleased to state specifically in what terms his Motion is before the House?

Sir *William Ingilby:* I move for leave to bring in a Bill to repeal the whole of the duties on Malt.

Major *Beauclerk* seconded the Motion. He did so, because, as the Motion was now before the House, he thought it deserved their favourable consideration; though he must confess, that, with a view to its full discussion, he could have wished the hon. Baronet had postponed it to another time. He thought that the repeal of this tax would give the greatest relief to the poorer classes of the country. He hoped most sincerely that the Ministers would agree to the Motion. He was convinced that unless they took off a tax of this sort, little relief would be afforded to the people, and they should come to the end of the Session without doing what was expected from them. He thought the House ought to decide on taking off the tax, and leave the Ministers to make a reduction of expenditure so as to meet its loss. He trusted, that the many Gentlemen whom he saw around him interested in agriculture, would support him on this occasion, convinced, as he was sure they were, that the public establishments were too large. If they did this, they would be benefiting the country at large, at the same time that they were supporting the credit of the country. It was impossible they could doubt that this tax was one which pressed heavily upon the lower classes, who thought they saw themselves more burthened than those who were richer than they were, and among them there was thus induced a spirit hostile to property itself. That opinion he was sure was gaining ground among them, and to meet it and prevent its bad effects, the House ought to take off those taxes which seemed to bear on them more than on other classes. This Malt-duty was a tax of that kind. Formerly it was the custom of the poorer classes to stay at home, instead of going to public-houses; but now, in consequence of the increased price of malt, the people were compelled to take their beer from the great brewers, and were no longer able to brew it for themselves at home. All taxes were cruel and unjust that pressed as this did, more on one part of the King's subjects than on another. This did so in a peculiar manner. There were some lands that would only grow barley—they would not grow wheat at all, and, of course, those lands paid a duty on their produce higher than was paid on the produce of wheat lands. Had he known, that the hon. Baronet would insist upon bringing on his Motion this evening, he should have brought down some letters that would have shown most clearly this inequality, and its effect. Certainly, he thought the hon. Baronet should not have brought forward the Motion till after the Budget; but as the hon. Baronet had done so, he felt bound to vote for it. He must, in conclusion, again recommend the House to take off those taxes which pressed most heavily on the poor; for he was convinced, that unless they did so, the feeling of discontent, to which he had before alluded, would be increased, and the property of the rich would be invaded.

Lord *Althorp* said, that the point on which the hon. and gallant Officer had just touched, in the conclusion of his speech, was the point which he would press upon the hon. Baronet as the reason for not acceding to his present Motion. The hon. and gallant Officer had declared, that, in his opinion, this Motion ought not to have been brought forward until after the Budget; and in that declaration he (Lord Althorp) fully concurred. When he had been pressed by hon. Members upon the repeal of other taxes, he had made the same statement which he should make now, that, as in a short time, he should have an opportunity of stating the view which he took of the finances of the country, the sum total of the estimates of the year, and the amount of revenue which it was probable would be received, it would be proper to defer till that time the consideration of the taxes which it would be most expedient to repeal. He hoped that the hon. Baronet would not think him guilty of any discourtesy, which he could assure the hon. Baronet he had no intention of displaying towards him, if he said that the present was not a fit moment to moot the repeal of the duties upon malt. The amount of those duties in the last year was 4,800,000*l.* That was a large sum for the House to deal with, and he thought that they would not do well if they came to either a hasty or an immediate decision upon it. By withdrawing his Motion now, the hon. Baronet would have an opportunity of bringing it forward on another occasion. Before the general statement of the finances of the country was laid before the House, he would not ask the House to meet the Motion with a decided negative; he had even some difficulty in moving the previous question upon it, and the House would easily see why. He hoped that the hon. member for Birmingham would not be offended when he said, that, pressed as the hon. Member had been by Gentlemen on both sides of the House, he ought to have acceded to their united wishes, and to have postponed his Motion to a future day. He was surprised that the hon. Member had not himself seen, that it would be no less disadvantageous to his own Motion to let it come on in the midst of the discussion on the Irish Bill, than it would be to the Irish Bill to interrupt the discussion of it for his Motion. For reasons which it was immaterial to explain further, he would not move the previous question. He would not call upon the House to give a decision, "Ay or No," whether the Malt-tax should be repealed or not; for that was a point, which, in his opinion, ought to be reserved for future consideration. His Motion would be similar in fact, but not in terms, to the previous question, and would bring under the consideration of the House what should be their future course of proceeding. He should move, that all the words after the word "that," be left out, and these words be inserted in their stead, that "the Order of the Day be now read for the House resolving itself into a Committee of the whole House upon the Irish Disturbances Bill."

Mr. *Baring* said, that the House must admire the ingenuity with which the noble Lord had endeavoured to get rid of the present Motion, and to bring the Government business under the consideration of the House. He (Mr. Baring) thought it desirable that the Irish Bill should be got through with as little delay as possible; but still he could not help thinking that the hon. member for Birmingham had not been treated by the noble Lord with that courtesy which was due to every Gentleman who brought forward an interesting and important motion. He was of opinion, that no good would be effected by appointing a Committee to inquire into the causes of the general distress existing among the industrious classes; but he thought that much good might be derived from the discussion which must take place upon the Motion. There was a general idea prevailing throughout the country, that that distress arose from the present state of the currency, and the discussion was likely to generate sounder notions upon that point than those which existed at present. In speaking of the repeal of the Malt-tax—a tax which produced a revenue of 4,800,000*l.*—it was impossible not to see that the House could not dispose of so large a sum without looking to the whole financial condition of the country. Anxious as Gentlemen might be to gratify the wishes of their constituents, they must not look at the Malt-tax simply by itself, but must view it in its bearing on the general revenue of the country. They might as well look at the assessed taxes by themselves as at the Malt-tax by itself; and he knew that there were some Gentlemen who did take that insulated view of the different taxes against which their constituents protested. What he had always feared would come to pass under the altered system of our representation had now actually taken place. The metropolitan districts being near neighbours to the noble Lord, and reckoning among their Representatives some of the noble Lord's colleagues, entered into his antechamber in strong bodies of delegates and Representatives, and with an influence which was hard to resist, and which was scarcely just to the rural districts. The noble Lord should recollect, that there were other districts besides the metropolitan; and he (Mr. Baring) could assure him, that if deputations to the Treasury were now to be the fashion, his constituents from Essex could easily fill Downing Street with those carts on which the measures of the noble Lord and his colleagues had recently imposed a heavy and an unexpected tax. Reverting, however, to the Malt-tax, he must say that it appeared to him to be the general feeling of the country, that an unfortunate distinction had been drawn by the House between the Malt-duties and the Beer-duties. The former had not been reduced at all; the latter had been entirely abolished. He thought, that if the subject were re-considered, a better arrangement of the duties on both beer and malt might be made without much difficulty. He thought that a Committee composed of Gentlemen usually living in the country, and well acquainted with its internal condition, might make a useful report on the various points to which the hon. Baronet had alluded in his opening speech, and might thus enable the House to deal in a proper manner with this important question whenever the noble Lord should come forward with his view of the finances. If this Motion were to be considered merely as a motion for the repeal of 4,800,000*l.* of taxes, he for one could not vote for it. He should, however, gladly vote for the appointment of a Committee to examine, whether any, and what reduction could be made in the Malt-duties; and he thought that the hon. Baronet would have done better in bringing forward that Motion than he had done in bringing forward a motion for their total repeal.

Mr. *Hume* had not the slightest notion that his hon. friend, the member for Lincolnshire, would have brought forward his Motion to-night, or he would have brought down with him to the House a statement of facts and figures, which would have proved beyond contradiction that the duties on malt ought to be greatly reduced, if, indeed, they were not totally abolished. In considering how they should best change the present system of taxation, he hoped that the House would consult the interests of the consumer as well as those of the producers of corn. He wished that his hon. friend, the member for Lincolnshire, would withdraw his Motion for the present, and give them a more favourable opportunity of discussing this question; for in that case, he should be able to prove beyond all dispute that the repeal of this tax was not a question of revenue, He was not inclined any more than the Chancellor of the Exchequer, to part with 4,000,000*l.* of revenue, unless sufficient evidence were adduced for it; but in the present case he was inclined to think that a reduction of duty would not lead to any reduction of revenue; and he would tell the House why. In the year 1785, the duty on malt was only 10*s.* 6*d.* a-quarter; the population then was 8,000,000, and the quantity of malt consumed was 3,400,000 quarters. In proportion as the duty had been raised since that time the consumption of malt had been kept down, so that in 1830 there was only an additional consumption of 200,000 quarters, although the population in the interval had increased from 8,000,000 to 14,000,000. Had there been the same proportion of malt used by the population of 1830 as was used by the population of 1785, there would have been upwards of 6,000,000 quarters, instead of less than 4,000,000 quarters, used in the year 1830. What he should propose upon this subject would be, that the duty upon malt should be reduced from 20*s.* 8*d.* a-quarter, its present amount, to 16*s.* 6*d.* a-quarter, its amount in 1802, when an addition was made to it, and made to it expressly as a war tax. If such an alteration were made in the amount of duty, he thought that the consumption would speedily rise up to 6,000,000 quarters, and if that should be the case, we should have nearly 4,000,000*l.* of revenue from this tax, at the same time that we had a greater consumption of malt. We should, therefore, give at once, relief to the agriculturists who grew the barley, and comfort to the consumer who used it when converted into malt. The subject which the hon. Baronet had brought forward, was a subject into which the House ought to enter most undoubtedly, but not perhaps at the present moment. He wished that they had got rid of the infamous Irish Bill, not only on its own account, but on account of the general business of the country; for nothing could contribute more to the public interests than to revise our present system of taxation. He was desirous of reducing the duty upon malt, because it would improve the morals of the people, by putting a stop to the quantity of ardent spirits which they consumed, and which had increased amazingly since the increase in these duties. He implored his hon. friend not to put the House to the inconvenience of dividing upon this question, when the House had not discussed it, and was not prepared to discuss it properly. He intreated his hon. friend to withdraw his Motion, and not to take the sense of the House upon a question into the details of which almost every Member present was unable to enter.

Mr. *Warburton* said, that, although friendly to the principle of the hon. Baronet's Motion, he would vote with the noble Lord (Lord Althorp) upon the present occasion. If the discussion of the question was brought on then, it would not meet with that full and fair treatment at the hands of the House, that so important a subject merited. Moreover, when the question came really to be fully argued, he would not vote with the hon. Baronet, unless, when a reduction was made in the Malt-duties, a reduction was also made in the duties on foreign barley. He said this, because if only a reduction of the Malt-duty was made, the grower alone would reap the benefit of it, whilst the consumer would gain no advantage. In a Committee to inquire into the matter, a member of which he was, it appeared, from the evidence they examined, that a large portion of the reduced duty would go exclusively to the barley grower. It was his opinion, that not only a large portion, but the whole of the duty taken off, would be for the benefit of the barley grower, unless the reduction was at the same time accompanied by a reduction of the duty on foreign corn. For this reason, he hoped that the hon. Baronet would consent to defer his Motion, in order that so momentous a subject might meet with the discussion it deserved.

Sir *Edward Knatchbull* would only say a few words, and those would be principally to try and obtain from the hon. Baronet an assurance that he would not press his Motion at the present time. Though he was anxious himself to have the matter discussed—and he was sure, so was the noble Lord opposite—still he thought, that the question was so important, both to the agriculturist and the consumer; and, in fact, to the whole community, that it ought not to be pressed unseasonably, when hon. Members were not entirely prepared to enter upon the discussion of it. He therefore entreated the hon. Baronet not to persevere in pressing his Motion.

Sir *William Ingilby* said, that there was no one Member of that House more anxious than he was not to give proofs of obstinate perseverance; nor was there any one that should more regret intruding contrary to the desire of hon. Members. All the House had to do was, to declare whether his persevering in the present Motion was intruding upon them or not.

Mr. *Attwood* thought, that the noble Lord, though he had shown great ingenuity in his mode of proceeding that evening, had not treated the House with the respect to which it was entitled from a Minister of the Crown in meeting this Motion with an Amendment proposing that another Order of the Day be then read. The repeal of the Malt-tax was an important question; but the noble Lord exhorted the House to pass it over as an insignificant question. He repeated his assertion. The noble Lord had said to them, "I will not call upon you, either to reject or to affirm this Motion, but I'll move the previous question, or if not the previous question, something very like it, and you must get rid of this Motion, which I do not like, that I may introduce another which I do like." And what was the noble Lord's reason for this mode of proceeding? Not so much to get rid of this Motion as of another, which was still more unpleasing to him—namely, the Motion of the hon. member for Birmingham for a Committee to inquire into the distress of the country. He would recommend not only the hon. member for Lincolnshire, but also the hon. member for Birmingham, to withdraw their Motions for the present; for it was quite clear, that with the influence which the noble Lord could employ against them, neither of them was likely to meet with a fair and candid and profitable discussion. Both their Motions had met with a reception from the noble Lord less respectful to the House than any which he recollected to have taken place from any Minister during the many years he had occupied a seat in that assembly.

Lord *Althorp* was sure the House would bear with him whilst he said a few words in reply to the unprovoked and unjustifiable attack which had just been made upon him. He would appeal to the judgment of the House, he would not appeal to the judgment of the hon. Gentleman, and would leave the House to say whether, in the observations he had addressed to it, he had treated it with the slightest disrespect.

The Marquess of *Chandos* said, that no question could be more worthy of the consideration of the House than that which the hon. member for Lincolnshire had submitted to it. There was no landholder, there was no Gentleman either living in the country or acquainted with its condition, who was ignorant of the deep distress under which the farmer was at present suffering. The hon. Baronet had done well in bringing his Motion under the consideration of the House, and his Motion would have met with the greatest attention, had not Ministers met it in a way which he considered not very becoming in them.

The necessity of reducing the Malt-tax could not be too strongly impressed upon the Government, especially at this time, when the other classes of the community were petitioning for a reduction of taxation, and were likely, if the report of a late meeting in Downing-street were correct, to obtain the repeal of the assessed taxes. If that report were true, he would put in his claim for some reduction of taxation that would benefit the farmers. They did not object to a reduction of taxation which relieved their fellow-countrymen, but they said, as they had a right to say: "Give us also that reduction in the Malt-tax, which on so many accounts we have a right to claim." If the hon. Baronet pressed his Motion to a division, he should willingly give him all the support in his power, in hopes of getting rid of a tax which pressed at once severely and unequally upon the agricultural interest.

Mr. *Robert Palmer* said, that representing as he did a great agricultural community, he must be permitted to trespass upon the attention of the House whilst he remarked, that in his opinion no question relative to the reduction of taxation could be of greater importance than that which the hon. Baronet had introduced that evening. He thought, however, that it would have been much better for the success of that question had the hon. Baronet refused to bring it forward in the present temper of the House. He was afraid, that its having been brought forward now would prejudice it upon some future occasion. For this reason he concurred with the hon. member for Kent in saying, that the hon. Baronet, in withdrawing his Motion for the present, would be consulting the advantage of the agricultural interest.

Sir *William Ingilby* said, that under existing circumstances he felt, that he could not do better than accede to the suggestion of his agricultural friends. He would therefore withdraw his Motion for the present, with the full understanding, however, that if the noble Lord (the Chancellor of the Exchequer) did not hold out some hopes in his budget of reducing the Malt-duties, he should be at liberty to bring it forward again.

Lord *Althorp* said, that in opposing the bringing forward of the question at the present moment, nothing was further from his mind than a desire to run counter to the general wish of the House. He opposed the Motion solely because he thought a fitter opportunity would present itself for the discussion of it, as well as for the consideration of the Motion of the hon. member for Birmingham.

Amendment agreed to.

Lord Althorp moved, that the House resolve itself into a Committee on the Suppression of Disturbances (Ireland) Bill.

PUBLIC DISTRESS.] Mr. *Thomas Attwood* opposed the Motion. He felt it his duty to protest on behalf of the suffering people of the country against the House occupying its time by a further discussion of the Irish Bill, at a period when the country was in the most alarming danger. He felt himself bound also, unless stopped by the House, to use every means in his power to bring the subject of that Motion which stood in his name, under the consideration of the House. He regretted that when the House was so oppressed with business of the highest importance that he should find it necessary to occupy the attention of the House for any considerable length of time, but he felt himself animated by his sense of duty to the country, and impressed with a conviction of the great interest attached to the subject he had to bring forward. The people had made this a Reformed Parliament; and for what purpose was that Parliament now sitting? Was it not assembled in order to restore and confirm the liberties of the people? Was it not bound in duty to study and work for their prosperity? As to the liberties of the people, he would ask, what aid had Parliament yet given to the people? Instead of liberty it had given slavery to one part of the empire; and had not alleviated the misery of the other. For the last six weeks millions of British hearts had been aching because that House had not done one single act to relieve their distress. The noble Lord, whose character and services he so much respected, had endeavoured to put a stop to his Motion, and no doubt the noble Lord would prevent it from meeting with success, for little could be expected when an individual like the noble Lord, powerful, both from his station and character, was opposed to an humble individual like himself. Humble as he was, however, and feeble as his attempt must be, still he felt it his duty to persevere and to do everything in his power for the general happiness of the people. He should have had a vast number of petitions to present upon this subject, but he had taken great pains to prevent the sending of any petitions, for he had said to all his connexions and friends, "avoid petitioning; let us, in the first place, leave everything to the Reformed Parliament." He was very sorry to see, that his opinions of the Reformed Parliament had not been confirmed, and he regretted, that he had interfered to stop the sending of the many petitions which, but for him, would have been presented to the House upon the subject. The distresses of the country were at the present moment more great, more severe, and more unnatural, than at any preceding period of its history. It was general, and he desired any Gentleman who heard him to point out any one class of the industrious population that was not labouring under extreme sufferings from distress. He did know some very small classes that had not yet drunk of the bitter cup; but they all knew that dangers of many kinds were gathering around them, and they were waiting in alarm the coming of the threatened storm. Although, to a certain extent, they prospered to day, unless some great change were to take place they knew that they could not prosper to-morrow; and they lived in dread of the impending ruin, expecting to be involved in one common lot of distress with the rest of the community. He would now call the attention of the Reformed House of Commons to the working classes, which were the life and soul, the blood and backbone, of the nation. He did not include the gentry; for, though they were raised high to be the pride and ornament of the nation, they were not the nation itself. The nation itself was the mass of the people. In the years 1816, 1818, and 1819 the distresses of the people had been great, but they were not to be compared to the distresses which reigned so generally at the present moment. The honest and industrious portions of the people who ought to be the most happy of all others, were the most miserable. Labour, the lot of living by toil and the sweat of the brow, was the great primeval curse on man: but it was tempered by the fruits of labour. Those, however, who had a right to be fed and sheltered and clothed by the sweat of their brow and the exhaustion of their strength by incessant and useful toil, were no longer allowed to obtain bread by their industry. The curse was continued in its direst form, and it was no longer assuaged by any of the comforts which labour produced. Millions of Englishmen, who were willing to labour for their support, were obliged to beg for sustenance, and to beg in vain. Year after year the unhappy millions had been crying to the House for protection, and the House had refused to hear their prayer. 16,000,000 of signatures had been affixed to petitions claiming relief from the House of Commons. In 1819, 1822, 1826, 1829 millions of signatures had come before the House humbly praying it to inquire into their distresses and afford relief, but all the petitions were unheeded; they were thrown contemptuously under the Table, and no relief had been afforded to the petitioners. The people then said: "We must and will have a change." "Change," said Mr. Burke "is a word of ill omen to happy ears." Undoubtedly it was; and though the House replied, that change of all sorts was an evil, when the hearts of the people were unhappy, and they were resolved to have a change, then did change become inevitable. This had been the situation of the people of England, and it had brought about the present change in the representation, which unfortunately had yet been of no benefit to the people. It should not be his fault if he did not do all in his power to have the causes of the existing distress explored. All he wanted was, to have an investigation. One half of the people of England were now obliged to toil more than human nature could bear, and the other half had no employment whatever. Those who were employed were employed only to die by inches, in the hope of living, whilst others wandered from door to door begging "for leave to toil" in vain. That day fifty of the Staffordshire colliers had come to him, begging him to point out to them how they could get employment by which they could support themselves. These men had been wandering over the kingdom in a state of want. They were invaluable men, and yet were in such a state of degradation and misery, that they came to him to ask him for advice, assistance, and employment. These men were of the best part of the population. It was the same with every branch of industry. Multitudes of agricultural labourers, mechanics, and manufacturers were all destitute of employment, and those who had work did not find their wages sufficient to support them. Were these brave and valuable men to be allowed to perish? They were the men from whom noblemen and gentlemen derived their fortunes, although they were thus allowed to starve for want of employment. The working men in agriculture produced, it was calculated, four times more than was consumed by them.

selves and their families; but the wages of agricultural labourers was not equal to one fourth of the fruits of his labour. The proportion was much greater in manufacturing labour. Every labourer, therefore, gave to the country at least four times as much as he consumed, and yet the country refused him bread for his family, though he offered by his labour to repay the gift fourfold. Such at this moment was the condition of the mass of the people of England; one-half of them were worn by double work, and the other half had no work at all. Taking man by man, he was convinced that the working classes did not consume more than two-thirds of the flesh meat which they had been accustomed to consume during the war. There were no tables to go to in order to ascertain this, but he appealed for the truth of what he stated to all who heard him, and he begged that gentlemen would look around them among the poor in their own neighbourhoods, and they would find this to be the case. The peace of 1814 had brought none of the blessings of plenty to the poor. If the House had done its duty to the people, their food, instead of having been reduced by one third, would have been increased by one-half. He could prove, that such was the poverty of the farmers and agriculturists in general, that so great were the difficulties of paying paper debts in golden money, that one-fourth of the productive powers of the land was destroyed. This was like cutting off all the land of England north of the river Humber and throwing it into the sea. If they looked at the manufacturing interests, no better accounts could be given of them. The mineral manufactures of iron, lead, and copper, the cotton, woollen and linen, manufactures, all showed that profits were nearly annihilated. He had made a point, for many years past, of consulting many gentlemen of knowledge and experience in all parts of England respecting their respective trades, and he had put this question to them: "Do you know any branch of industry in England in which a prudent and industrious man, with a due regard to the protection of his property, would be justified in embarking his capital?" The universal answer was, "Such a branch of industry does not exist in England." His rejoinder had always been, "Then such a state of things never existed in any country on the face of the earth before." This was the invariable answer he had received, except in one single instance, in the case of a Manchester gentleman, who had some considerable property invested in cotton mills, and who thought that there was still some profit produced. But when he was asked, if cotton mills were worth 50,000*l.* seven years ago, what they were worth now?—his reply was—that he considered that capital to be sunk, and then there would be, or might be, a miserable profit; but he would say that a profit drawn out of a sunk capital was a very equivocal and left-handed sort of profit. There was no branch of industry that had produced any adequate profits for the last seven years, although some local trades might derive temporary profit from the very distresses around them. These persons were like vampires that lived on the blood of those who were dying, and obtained an unhallowed prosperity. These were pawnbrokers and lawyers, who, like physicians during the prevalence of cholera, flourished the more, as distress and misery were extended. Full nine-tenths of the men in trade had toiled for the last seven years, early and late, and they had toiled in vain. If the House looked at the shipping and colonial interests, no better accounts could be given. He was credibly informed that at least two-thirds of the shipping in the river Thames were mortgaged for half the original costs, and if the mortgages were to be foreclosed, the ships would not be sold for enough to pay the debts. If they looked at the East Indian, the West Indian, or any other colonial interest, they would find that ruin, ruin, ruin, presented itself, and that ruin prevailed or threatened to prevail from one end of the British empire to the other. Look next at the Poor-rates. The Poor-rates had not increased so much in money, but if they calculated by bushels of wheat they would find that the amount had been doubled since the end of the war. Notwithstanding this the number of poor had so increased that the quantity of wheat would have been quadrupled were the poor relieved as liberally as they had been at the close of the war. But poverty, bitter grinding poverty, had closed the gates of mercy, and hardened the hearts of the middle classes, so that the poor were not half so well relieved. Notwithstanding the enormous wealth which labour gave to the nation the labourers were everywhere starving. The blackest passions were everywhere called into existence. The people resembled a crew of a ship upon short allowance, with only one-tenth part of the provisions left to carry them to the end of the voyage, and each man was a prey to despair, and looked on the death of his companions as one source of relief from his sufferings. Let the House think of the bitter envy, the fiendish malice with which hunger made one man ready to tear the morsel from another's lips, let it think of the great mass of the working classes wishing the death of one another to have a larger share of the scanty supply of food, and it would have some idea of the terrible passion which prevailed amongst the workmen of many districts. The noble Lord (Althorp) shook his head at this statement, but the noble Lord, from his elevated station, knew nothing of the state of the working classes, except, as he obtained information from sycophants and flatterers, whilst he had been born in the midst of such scenes, and if the noble Lord had been an eye witness of what he had witnessed, his heart would have felt for the poor. Like the men in the ship already alluded to, the poor watched the last gasp of their friends, in hopes of getting employment by filling up the vacancies occasioned by their death. If honour abroad were purchased by these privations, it might be some compensation for the misery. The people might be content to suffer like a noble army for the good of the country, but they had never turned their backs on the foe, though they now saw their country kicked and buffeted by its enemies from the Euxine to the Baltic. It had been said that England was bound not to go to war in a bond for 800,000,000*l.*, and he had heard an hon. Member in that House say that he was glad of it, for the country would be obliged to keep peace. He could not trust his feelings with such a topic. He could not express the indignation he felt at hearing that his country was brought to such a pass that a statesman should thank God she was unable to make war. If he thought this were really the case, he should pray to God that his country might at once sink into the sea. Was England to be cuffed and kicked and pretend not to feel it, or humbly turn round and beg pardon for being in the way. That was, however, the position of the country, and he would never rest till he saw the cause removed which had brought her to such disgrace. The cause was this: all England might now be divided into two classes, the distressed and the affluent. The distressed were the merchants, manufacturers, tradesmen, in short all the industrious classes of the people. The affluent were the annuitants, including the fundholders. The affluent had had their 60*l.* in paper money turned into 90*l.* of gold. This was the class which dreaded war. The landholders were distressed; their properties had been mortgaged during the war, and those mortgages had increased so that they could not be cleared off, and the landholders were consequently in a state of ruin. They could not, therefore, go to war. The traders were in a state of ruin, and could not pay the taxes, which a war would necessarily occasion. These classes were so distressed, that if an enemy were to take Tilbury Fort, they could not go to war. The only class of men that could go to war would not go to war for fear of a fall in the funds, and therefore was it that the country was kicked from pillar to post by every blackguard and tyrant of Europe. When there had been a momentary gleam of prosperity, and men had launched forth into the sunshine, they were caught by a storm and driven home to hide their misery. These failures, brought on by a change in the currency were innumerable, and the Government attributed them to speculations. The fact was, that men had trusted to the laws of God and nature, but Government had plucked the ground from under their feet. That was the cause of their ruin. When he saw fluctuations of so strange a kind, and witnessed the immense number of superfluous mouths unfed, and heard the groans and witnessed the ineffectual struggles of the people, when he saw prudence of no avail, and sagacity struck to the ground, while folly and carelessness were flourishing, when he saw Emigration Committees sitting, planning how to get rid of the surplus population, and Corn-law Committees restricting the quantity of corn to be admitted into the country, he said it was time to examine into the causes which rendered such unnatural inquiries and restrictions necessary. He thought that the time had then come when they were bound to inquire why, at the end of seventeen years of profound peace, they were in a worse state than after an equal period of war. The people had been told that the causes of their distresses were but temporary, and they had been advised to wait with patience for a short time; but they had now been deluded and cajoled with promises of that kind for seventeen years, and at the end of that long period they found themselves in a worse situation than ever. He attributed this monstrous state of things to the currency, and wished that cause of mischief remedied. The Ministers, however, said to the people, "Go on; we have, it is true, committed a gigantic error, but it is now too late to retreat." He had told them of this error seventeen years ago, and he had warned Government that it would bring the country into such a state that it would be impossible to advance, to retreat, or stand still without ruin. The right hon. Baronet, the member for Tamworth, who was not, he was sorry to see, in his place, had quoted the other night a passage from some classic author; he believed in the Roman language, the words of which he could not repeat, but the meaning, he believed, was that the country had got into such a state that it could neither bear the evils it suffered nor the remedy for those evils. He did not agree in that sentiment, for he thanked God the country could bear the remedy to-day, though she might not be in a condition to bear it were it to be deferred till the morrow. But what could be the feelings of those who had brought the country into such a desperate situation he did not know. For his part, if he thought he had not done all in his power to avoid it, he should be ready to sink into the earth with shame; but the men who had brought it on openly gloried in their deeds. The country was in a state of the greatest difficulty, and overwhelmed with embarrassments, so that no class of men, by any means of honest industry, could prosper. The great mass of labourers throughout every part of the country were in a state of the utmost poverty and discontent. The natural consequences of misery were discontent and crime. Two years ago the agricultural labourers had broken out into outrage; and Ministers deceived themselves if they thought such breakings out were at an end, and that the causes which had given rise to them were at rest. He was sorry to say, that the people of England had never gained anything from their rulers but by a resort to force. The agricultural wages had, in consequence of intimidation, been raised from seven or eight, to ten or twelve shillings a week, but the farmer had been obliged to pay this out of his capital; he would soon be bankrupt, and the poor would then, once more, be turned out, first to burn ricks, and afterwards to combine against tithes. He could not blame men who were goaded to crimes by miseries brought upon them unnecessarily by others. Give the people their rights, and, if they were then not submissive, no man would be more willing than he should be to put down outrage by the vengeance of the law. The crimes of Ireland for ages had grown out of the miseries of the people, and, unless Government would redress their wrongs and relieve their miseries, it would be in vain to attempt to suppress crimes. The immortal poet of nature had drawn a faithful picture of the way in which men were goaded to crime by an excess of misery. He had represented misery as the source of the worst crimes that man could commit. The first murderer in *Macbeth* was made to say—

> I am one, my liege,
> Whom the vile blows and buffets of the world
> Have so incensed, that I am reckless what
> I do to spite the world.

Here, then, was a sense of injury and a feeling of misery goading a man to crime. The other murderer, in the same strain, says—

> And I another,
> So weary with disaster, tugged with fortune,
> That I would set my life on any chance
> To mend it or be rid on't.

Thus did the poet make crime the offspring of revenge and despair, and it was revenge and despair which goaded the people of England and Ireland into the commission of outrage. Poverty was itself an evil, but its consequences were nightly terrors. Extreme poverty never attacked a nation without bringing discord in its train. It had bred discontent in the breasts of hundreds of thousands of the agricultural and manufacturing labourers. It had produced a state from which many sought a refuge in the grave, by which others were driven to madhouses, others endeavoured to escape by deserting their homes and taking refuge in other countries, all of whom, but for the state of the kingdom, might have been useful and prosperous citizens. The right hon. member for Tamworth had spoken of the poor as if the preservation of life were their only care, and the dread of death their only apprehension; but there were millions of the poor from whom extreme misery took away all terror of death. The right hon. Baronet, had he known what he (Mr. Attwood) knew, would have acknowledged, that there were, at this moment, millions of families in the United Kingdom who hourly die many deaths, who envy the victims of broken hearts that have died before them, and who lived, as it were, sowing in sorrow, and reaping only ruin as the reward of their anxiety and toil. The words of the poet, were too applicable to the present state—

Full little knowest thou, that hast not tried,
What hell it is, in hopeless toils to bide,—
To lose good days that might be better spent;
To waste long nights in pensive discontent;
To speed to-day, to be put back to-morrow;
To feed on hope, to pine with care and sorrow;
To live in mis'ry, yet have many fears;
To lose thy seeking, yet seek many years;
To fret thy soul with crosses and with cares;
To eat thy heart with comfortless despairs;
To fawn, to crouch, to wait, to ride, to run,
To toil, to save, to want, to be undone.

That was the real state of millions of aching hearts in England at this lamentable hour. They had nothing to fear from death. He begged to call the attention of the House to a few simple facts which were known to all. A few days ago about 100 gentlemen had waited on the noble Lord (Lord Althorp) and had represented to him, that the taxes could not longer be paid; and they had told the Minister of the Crown, that not only were the people so distressed that they could not pay, but that, moreover, they would not pay the taxes, and that the people would be driven to the necessity of following the example of the Quakers, and they would rather be distrained upon than pay the taxes voluntarily. It was only three months ago that nine parishes of Westminster had appointed delegates to meet together to take into consideration the general pressure of distress. These delegates had passed a resolution in which they unanimously declared, that most of the trade of Westminster had been carried on for seven years without any profits, and that the tradesmen were all of them living on their capital. He believed, that this was not confined to the city of Westminster; and he recollected, that a similar resolution had been passed by the inhabitants of the ward of Cheap. He had been told by a merchant that on the Royal Exchange, where so many persons of all nations used to meet, not one-third of the people were now to be seen there that used to assemble at the period of the war. The House could not have forgotten the statements made a few evenings before by the hon. members for Oldham and Macclesfield—men, they said, were toiling for *3s.* per day. There were now 100,000 able-bodied men in the metropolis who were willing to work, but could get no employment, and, in this statement, he did not include either women or children. Such awful facts, he thought, were calculated to rouse the attention of any Government, and if attention were not speedily given to them, they would soon speak in a language that would make itself heard. There were many able-bodied men now obliged to live on only 4*s.* a-week, and he knew 10,000 persons who used to get 16*s.* a-week, and who now could get only 9*s.*, of which they had to pay 3*s.* a-week for lodgings: so that only 6*s.* instead of 13*s.* as formerly, was left for their subsistence; and yet money did not go a bit further now than it did when they used to get the larger sum. Liberty was an idle word—a mere name—unless they gave the people liberty to live by honest labour. Of all rights the right to employ industry for their support was the most sacred; and if the laws of the country did not give to the labourer the privilege and power of using his industry for his maintenance, such laws did not deserve obedience, and the people were released from all obligations to obey the Government. Even Judge Blackstone had acknowledged, that if the laws were so absurd or so wicked as not to afford protection to the people, they deserved no obedience from the people. Let the House recollect, that when the culprit Redman was about to be hanged for the murder of Maddox, he stated, that his father had been a respectable farmer, who had paid the last 5*l.* he could collect on earth for rent; and this being insufficient, he had been distrained upon and turned out of his farm to want. The culprit added, that he had been reduced to a state of misery without hope, and that he had seen his father ruined, and he had no comfort but in revenge. His was a wild and wicked revenge, though it had in it something heroical, and it spoke volumes as to the thoughts and as to the condition of the people of Ireland. The right hon. Baronet, the member for Tamworth had cast the blame on the Irish landlords. This he held to be irrational and most unjust, for he considered the landlords of Ireland to be equally as unfortunate as the miserable Whitefeet. The landlords were but the victims of a vicious system, which had reduced the value of the produce of their estates one half, while it left the mortgagees as they were. The consequence was, that they could not reduce their rents without being ruined. They looked to the middle-men for their rents, and the middle-men were obliged to oppress the tenants to obtain them. Thus each class oppressed the class immediately below them, and the result was the present state of Ireland. The right hon. member for Tamworth's name was connected with a Bill which doubled every rent in the kingdom, instead of only adding four per cent.

to it, as was pretended. It was, therefore, not for the right hon. Baronet to blame the landlords. If he had any proper feeling, he would blame himself. If the right hon. Baronet had passed a measure which, at the same time that it reduced the value of the produce of their estates to one-half, would have likewise reduced the rents, taxes, and all their other burthens in proportion, there might be some sense in his censure; but his measure had reduced the value of the means of paying rent, without giving the power to reduce the rents themselves, or the burthens for which the rents were pledged. He considered that measure was as bad in its effect, as if an exterminating army had been driven through the country. He would put the case of a landlord, who, during the war, had a rental or income of 20,000*l.* a-year, but whose fixed encumbrances on his estate had been 8,000*l.*, and consequently his nett income was the balance, or 12,000*l.* a-year. Now, if the alteration of the currency reduced the gross rental, which it did by about forty per cent, it followed that he had left for himself an income of only 4,000*l.*, instead of 12,000*l.*, which he had possessed before the Bill was passed. Some people might think that 4,000*l.* sufficient, but they should recollect that people were deceived by the promoters of the change in the currency into a belief that the times would improve, and that matters would gradually return to their former state. Thousands were deceived by that, and kept up their former expensive establishments, till by the accumulation of mortgages they found themselves absolutely ruined. When the Earl of Liverpool, therefore, had determined on his measure, he ought to have sent a proclamation throughout the country, and warned the people that he was going to restore the ancient prices of produce and commodities; landlords might then have protected themselves by reducing their expenditure and curtailing their enjoyments. Now the effects of all these changes were absenteeism, distraints, and a catalogue of all distresses. The aristocracy ought to be protected as well as the other classes. The laws of primogeniture, which had been intended as a blessing to the aristocracy, had proved a curse, owing to this change of the currency. The laws of primogeniture had been intended to secure the estates to the eldest sons; but, owing to the change of the currency, the amount or value of the encumbrances on those estates were so increased that the owners, while they were obliged to keep up their state, were almost deprived of their property. He could not, from the class of his personal friends, speak positively on the subject as to the details on estates of the wealthy aristocracy; but within the circle of his private acquaintance, men of one, two, or three thousand a-year had received their patrimonial estates so encumbered and embarrassed, owing to the changes made in the value of money, that, instead of being men of independent fortune, they were absolutely ruined. The Earl of Liverpool had said, that people would get through the worst, and that, if they only bore the evil patiently to-day, all would be right on the morrow. Those who had suffered themselves to be deluded by these views had grievously paid for their folly. Although the wholesale prices of produce had been so much reduced retail prices had not gone down, and this greatly increased the evil. Men must still pay 11*d.* a-pound, or thereabouts, for a veal cutlet, although it might be bought in the wholesale market for about 4*d.* a-pound. This fall in the wholesale prices, without a corresponding fall in the prices by retail, increased the evil to the landlords. One thing was quite certain, that as fast as we broke down the prices of our goods, the more would foreign nations take advantage of our manufactures. Thus the Prussians, the Russians, and others, put a duty of twenty per cent. of the value upon them. It was his belief, that if they waited for another year to see this question decided, it would then be too late to do any thing; and unless they now took some steps, he could place no confidence in any description of property, and he would not give even a rush for the Crown of England. That House had two or three times refused to entertain the question of distress; but what was the present condition of the country? In the year 1821 he himself had been examined, in order to give his evidence before the committee, as to what was the cause of the agricultural distress. The gentlemen of that Committee upon that occasion had told him they could not hear him on the question of the currency; to this observation he had replied, that he came there to tell them what was the cause of the small quantity of money which agricultural produce obtained, or what was the cause of the lowness of price. This question had been mooted at three periods in particular, and at each period it was contended that we should soon get out of the difficulty. But what was the fact? Instead of overcoming the difficulty, we had got deeper into the mire. This reminded him of a circumstance which had once occurred to himself. Being one day out fly-fishing, he saw in the river where he was angling a man's hat floating; and upon taking a boat he found the body of a man under it. It appeared, upon an investigation into the matter, that this unfortunate creature, having got drunk a night or two before, was determined to get across the stream; and so fatally did he persist in his obstinate whim, that he was drowned. Was it the wish of the House, was it the desire of his Majesty's Government, to go on and drown the country? Had they come to a determination to pursue an obstinate course and overwhelm all classes with ruin? Surely the mind of the noble Lord opposite, or of the noble Earl at the head of his Majesty's Councils, would not remain thus perverted. He was aware that the noble Lord had not leisure for all things, but he was confident, that noble Lord must feel, that this was a subject which ought to be investigated; and he would say, if it were not investigated speedily, it would be vain to seek for any relief for the general distress of the industrious classes of the community. In the year 1829, there were 180 petitions presented, with which, except in one instance, he had had nothing to do. He believed that they all conveyed the spontaneous opinions of the public, and they all complained of general distress. And yet that House had allowed all these petitions to be thrown unnoticed under the Table; and in all the instances, as in the instance of the Birmingham petition, which was signed by 29,000 men, they had refused all inquiry into the subject. The latter petition prayed for an inquiry into the state of the currency; that request was refused, and the country was told by that House that the working and industrious classes were well off, and that they did not know when they were well off. Why, it was an insult and an indignity to make any such assertion, and it, of course, created a corresponding feeling on the part of the people of Birmingham. He, for his own part, had done all he could to stop the current, but the popular feeling had established itself. He believed from his heart, that the whole discontent of the English people for seventeen years past, resolved itself into, and had its origin in, a question of currency. To that source, he verily believed might be traced every misery. But if the House would grant the Committee which he asked for, and it should turn out that the national debt or the Church were the evil, he would say, let the case be proved, and let the accursed thing, whatever it might be, which caused this general pressure be thrown overboard; he would be then content. But he thought the House would be disposed to think with him, that when it had been pretended the change of currency made only a difference of four per cent on rents, whereas it was now generally admitted, as he maintained, that it had made a difference of cent per cent on every private debt in England, that the subject was one which demanded the strictest and earliest consideration. He thought if the currency question were properly sifted, he could show, that the crimes of the Whitefeet, of the predial agitation in Ireland, and of the late predial agitation in England, were mainly owing to the present state of the currency. He could prove, that political agitation arose from this cause in England: this was a notorious fact. He had had the honour of being an agitator himself—and he thought he could satisfy the House that he became an agitator from no desire of popularity, or to injure the aristocracy, or the established institutions of the country. It was only after waiting fifteen years—after he had moved Heaven and earth—that he thought it his duty to become an agitator, with a view to urge forward a great public change, and of relieving the distresses of the people. He would beg leave, in order to show that, to read to the House a part of the constitutional Act of the Birmingham Political Union. That was now composed of 20,000 "good men and true," and exercised considerable influence over the mass of the population in the northern counties. The hon. Member read the following passage:—

'Birmingham Political Union, January '25th, 1830.—The experience of the last 'fifteen years must certainly have convinced 'the most incredulous that the rights and 'interests of the middle and lower classes of 'the people are not efficiently represented in 'the Commons House of Parliament. A 'very few observations will be sufficient to 'place this important subject beyond the 'possibility of doubt.

'In the year 1819, a Bill was passed 'into a law, under the assumption that it 'would add only four per cent to the na'tional taxes and burthens. It is now very 'generally acknowledged, that the Bill 'thus passed into a law, has literally added 'cent per cent, to the national burthens, 'instead of four per cent; and that it has 'literally doubled, or is in the undeniable 'process of doubling the real weight and the 'real value of every tax, rent, and monied 'obligation in the kingdom. Ten years 'have since elapsed, and yet to this day, no 'adequate effort has been made by the Re'presentatives of the people, to reduce the 'taxes in a degree corresponding with the 'increase which has thus been surrepti'tiously effected in their weight and pres'sure! What further proof is required of 'the absolute necessity of reform?

'Nor has any attempt been made by the 'legislature to retrace their steps, and to 'rectify the grievous oppression which has 'thus been occasioned. On the contrary, 'the fatal error is now coolly acknow'ledged, and the country is gravely as'sured, by the very men who benefit by 'the measure, that it is now too late to 'retreat

'At three different periods, during the 'operation of this fatal measure, and now 'a fourth time, the industrious classes of 'the community generally, have been re'duced to a state of distress which has 'heretofore been unexampled in its general 'extent and severity. At each of these 'periods, the profits of productive capital and 'industry have been destroyed, or so much 'reduced, as no longer to afford the just 'and necessary inducements to the em'ployment of labour. The working classes 'of the country have thus been thrown ge'nerally out of employment, or they have 'been compelled to endure more labour 'than nature can support, or their fair and 'reasonable earnings have been sacrificed, 'in order to prevent the ruin of their em'ployers.

'Strange and unnatural as this state of 'things evidently is, it has, more than 'once, been attended with anomalies which 'have rendered it ten times more unnatural 'still. The markets have been glutted 'with food and clothing on the one hand, 'and with a hungry and naked population 'on the other. The most eminent parlia'mentary authorities have declared that 'the loaves have been too many for the 'mouths, and that the mouths have been 'too many for the loaves, at the very same 'time!

'It is most certain, that if the rights 'and interests of the industrious classes of 'the community had been properly repre'sented in Parliament, a general state of 'distress, attended with anomalies like 'these, would have commanded the instant 'attention of the House of Commons. The 'cause of the distress would have been 'ascertained, and the proper remedy would 'have been applied without delay. But 'what has been the conduct of the House of 'Commons? To this very day, the cause of 'these strange, and unnatural, and distress'ful anomalies, has never once been in'quired into. At three different periods, 'when this vital subject has been brought 'before the House of Commons, they have 'literally refused to allow its investigation. 'In the year 1822, Mr. Western gave no'tice of a motion to inquire into the cause 'of the national distress. The House of 'Commons refused to grant the inquiry. 'In 1827, Mr. Edward Davenport gave 'notice of a similar motion. The House 'of Commons refused to grant the inquiry. 'In the last year, Sir Richard Vyvyan gave 'notice of a similar motion. And again the 'House of Commons refused to grant the 'inquiry! Upon three different occasions, 'the House of Commons has thus exposed 'itself to the suspicion of either a total un'willingness, or a total inability to pro'tect the most vital interests of the 'country.

'Here, then, we have proof that the 'rights and interests of the great mass of 'the community are not properly repre'sented in Parliament. A triple proof has 'been added to every argument which has 'previously been drawn from reason and 'experience, that an effectual representa'tion of the industrious classes in the Com'mons House of Parliament is alike neces'sary to the welfare of the people, and the 'safety of the Throne.'

He would read a few lines from the end to confirm the passage he had already read.

'In any common state of things, trades'men and mechanics might not perhaps be 'called upon to interfere in political sub'jects. Each individual is, perhaps, more 'beneficially employed, for himself, and 'for his country, in confining his industry 'within his own particular occupation. 'This might be the case, when public af'fairs are both honestly and rationally 'conducted. But it is not so now. The public 'business is now become the best private 'business for every man to attend to. 'Without attention to public affairs, in'deed, there is now no security for private 'interests. Until the public business is 'better conducted, it is in vain that the 'industrious classes use diligence, and pru'dence, and economy, and anxiety in the 'management of their respective affairs. It 'is in vain that they "rise up early, and 'late take rest, and eat the bread of carefulness;" they do but realize the fabled 'torments of the wretch condemned to 'waste his labours in "continually rolling 'a stone up hill, which continually recoils 'to crush his own head." This, in a great 'degree, has been the situation of the industrious classes in England for several 'years. The men who have occupied their 'capital in productive power, in working 'the great duties upon which the existence 'of mankind depends—these men have 'grown poor, as the reward of their industry and virtue! But the men who 'have locked up their capital in a chest, 'have found it daily increasing in value! 'These men have reaped riches, as the reward of idleness and sloth! The reward 'of industry, indeed, may be said to be 'destroyed in England. "The ox is 'muzzled that treadeth out the corn." 'Error succeeds error, and folly succeeds 'folly, until the nation is at last brought 'into such a state, that the most careless 'and superficial observer may perceive that 'great political changes must take place.'

That would tend to show the *animus* with which this society had been originated, and upon which it had acted; and he would assert, that if this distress had been taken under the consideration of the Legislature at a proper time, it would not have gathered to its present head, and the name of a political union would never have been known. These combinations of men would not have been formed, but that they had looked up in vain to the Government of the country for help. He had been an agitator, but he had certainly never thought it or expected it to be a profitable trade; and when he commenced his career, he expected to have to meet many dangers; but he expected to meet with no more in his small way, than Hampden had done in his large and extended career. He had had to face the suspicions of the weak, and to dissipate the alarm of the timid, and he had suffered the alienation of the affections of kind friends, and he had had the bayonet and the scaffold before his eyes; he had had all these evils to face, and he was ready to face them again, without a single hope of a selfish nature. The only fond wish of his heart was, the restoration of the liberties and the happiness of the people. He must remind the House, that the people of England, in reference to this subject, had evinced a remarkable degree of patience, a quality which eminently entitled them to the attention of the House; though he was sorry to say, that, upon looking over the history of this country, he had never found that the people ever gained much by patience. Now he would ask how it was possible to expect that the people should continue to exhibit the same degree of confidence and loyalty to the constitution, if that House did not repay such good feelings by applying its attention to the distresses of the productive and labouring classes of the community? If the Legislature neglected to do this, it would certainly not do its duty to the King, or to the King's subjects. The question was, what was to satisfy the people, who, as he had stated, had made great sacrifices to obtain Parliamentary Reform and liberty. He had thought that his Majesty's Government would have been aware that if they gave liberty they must also give prosperity to the people; and that liberty must precede anarchy unless it were accompanied by prosperity; and he had told the noble Lord and the noble Earl at the head of the Government that, if they gave liberty and the means to secure prosperity, no child that now slumbered in its cradle would ever hear of discontent in the country. But now they encouraged every day new demands, and in every step which was taken with the view of enforcing these the Government became day by day weaker. The stream of popular feeling had swept away one oligarchy; and had the Government acted wisely, it would have been aware that when the waves of popular excitement had reached a certain height the cause of the flood must be removed or otherwise a dreadful inundation must ensue. Unless the House proceeded to relieve the people it would find that it had but given strength and liberty to an irritated giant. He had on a former occasion told the Ministry so: he had told the noble Lord at the head of that Ministry, that if he merely passed the Bill without acting upon it, he would be the Neckar, and not the Saviour of his country. The Ministry had appeared very busy in giving moderate reform to Ireland; they had talked about reforming the Irish Church, about the Church-cess, and two or three other such reforms; but would these moderate reforms strike at the root of the evil which paralysed that unhappy country? Would they relieve the people of Ireland from the overwhelming weight of their grinding misery? Was this misery brought upon the Irish by their own fault?

Was it owing to their want of either industry, perseverance, or economy? No, for they were singularly eminent for industry, enterprise, economy, and honesty. In all these qualities the Irish peasantry were unparalleled. These men came often over to this country in a state of wretchedness, and after remaining here at work for some portion of the year, they carried back with them to their families small sums of money. And could it be denied that every one of these men was able to earn four times what he now did, if he were given the free use of his hands? Let them have a circulation equal to the population; let them have the means to cultivate their bogs and then no more would be heard of frightful breaches of the peace, of the overthrow of the Constitution, and of outrages against humanity; and no more would be heard of any necessity for legislative enactments against that unhappy people. What they wanted was legislative enactments for them, not against them. But during this discussion on the unhappy condition of one part of the kingdom, he had not heard a word about the miserable condition of another portion of the realm, not one word had been said about England. Not a syllable had he heard of what was proposed to be done as a remedy for the dreadful state of distress and misery. Surely the glorious tree of reform had not been planted with so much labour merely to fill up the ground instead of gathering fruit from it! If the people saw no fruit from this tree, they would cut it down as useless and cast it into the fire; and deeply grieved should he be to see that day, for he expected glorious fruit from such a tree. He was a reformer—a moderate, rational reformer. What he wanted was Household Suffrage, Triennial Parliaments, and the Vote by Ballot. And his object in these wishes was, that the people might enjoy true liberty, prosperity, and happiness; he wanted them to have beef, bread, and beer; and if the Government would let them have this, he was one of the last to wish for any change; but if they did not, he could not at all see how a change could be avoided. Every honest man, whether Whig, Tory, or Radical, ought to vote for this Motion, for its object was, to give a deserving people happiness. As he had before said, every interest was at present in a state of the most appalling distress and embarrassment, and danger. The extent of misery was such as to have turned into gall and bitterness the very milk of human nature in the breasts of millions. To remedy such a dreadful state of things, something effectual and immediate must be done. He therefore implored every Member in that House to agree in the resolution which he should propose, as they must see how closely the result of it was connected with the happiness of the people and the security of the Throne. His Motion was, that "a Select Committee be appointed to inquire into the causes of the general distress existing among the industrious classes of the United Kingdom, and into the most effectual means of its relief."

Mr. *Gillon* rose to second the Motion of his hon. friend the member for Birmingham, and he should not feel, that he fulfilled his duty to his constituents if he did not at once avow his conviction of the necessity of the House immediately interfering to alleviate the great distress which pressed so heavily upon the productive classes of society. The hon. Member had indeed drawn a vivid picture; but the picture, though vivid, was not the less true. A Reformed Parliament had now met six weeks, and not one measure having any or the least tendency to promote the prosperity of the people at large had yet been introduced, a fact which was but too likely to shake the confidence of the people in a Reformed Parliament. The first day, indeed, upon which they had met was one of ill omen, for much was said of insurrections in Ireland, but not one word upon the subject of the distress of the productive classes of this country. Surely these circumstances would only be the means of inducing the people of England to call for greater changes, changes which he should be sorry to see made, but which must of necessity follow the demand for them unless the House gave its immediate attention to a subject of such vital importance. He would therefore entreat the House not to deny the request made by the hon. member for Birmingham. The people had raised their despairing voices to former Parliaments, but former Parliaments had declared the cry against taxation was an ignorant impatience; and the petitions which flowed into the House were ordered, one after another, to be laid under the Table as unworthy of notice. As he had formerly stated, the state of depression was so dreadful, that some of our best manufacturers, working fifteen or sixteen hours a-day, could not earn more, after deducting all the necessary expenses, than 5*s*. 4*d*. a week. To show the dreadful depression, he would instance the fall in price of one article woven by them. In 1814 this article was worth *9d.* a-yard; in 1815 it fell to *7d.* In the three following years it fell to *4d.* After a rise in the next year to *5d.* it fell so low as *4d.* and *3d.*; and now, in this year 1833, it has fallen to *2½d.* He would only ask hon. Members to look at this dreadful fall in price from *9d.* to *2½d.* Could there be a more dreadful instance of the depression of trade? He had been waited on the other day by a deputation from a society of Scottish weavers, who, under the pressure of their extreme distress, had resolved to petition the Legislature to interfere, by appointing a sort of Board of Trade by whom a *minimum* of wages might be fixed. He had told these unfortunate men, whose once ruddy faces were now pallid by pure starvation, that, in his decided opinion, any interference of the Legislature between workmen and their masters would be productive of the worst consequences. He had added, however, that there would shortly be formed a Committee of Inquiry into their distress, and the best means of remedying it, which he hoped and expected would tend to promote the happiness of the people by removing their overwhelming load of distress. What was he to tell those poor men when they next came? Was he to tell them that their just prayers were refused—that their distresses were to meet with no compassion—no relief? He trusted not; he trusted that every Member of that House would stand forward and relieve their oppressed countrymen. He was sure that it could easily be done; for nothing would persuade him but that many of those taxes which now weighed so heavily—so overwhelmingly on the people, could be taken off. Whatever might be the cause of this dreadful and general pressure, whether it arose from the weight of the demands of the Church, from tithes, from Poor-rates—whatever was its cause, he implored the House to do away with it—to legislate for the starving poor, for the industrious classes, for that portion of the community upon which depended the security of the whole. If they did not, he, for one, could not answer for the safety of the State. He could very clearly see, that there would be an instant demand for still further changes—for universal suffrage—when the people found that they could not hope for justice in the present state of things. If the present House of Commons did not respond to the people who had looked up to them with so much confidence, that people would direct their energies to the means of obtaining such a Parliament as would.

The Motion being read,

Lord *Althorp* in rising to object to the Motion of the hon. member for Birmingham, begged to be understood as not being at all disinclined to discuss in a tangible shape the question the hon. Member mainly adverted to in his address. His opinions were pretty well formed with respect to that question; and believing them to be correct, and that discussion always tended to elicit truth, he could not, of course, object to that which would, he believed, establish the soundness of the opinions he held. He was the last man who would wish to prevent discussion, and he hoped that neither the House nor the country would consider, that the course he had pursued that evening was dictated in the slightest degree by a desire to prevent the question being thoroughly investigated. On the contrary, his wish was, merely that the question should be brought forward at a period when the House could dispassionately and fairly take it into consideration. Many opportunities would occur when it might be more conveniently discussed than at present. An hon. relation of the hon. member for Birmingham had given notice of a Motion on the monetary system for next Tuesday, and another hon. Gentleman, the member for Yorkshire, had given notice of a Motion after the recess for a Committee to inquire into the distress of the country. On these occasions, ample opportunities would be afforded for discussing the question which the hon. member for Birmingham pointed at in moving for this Committee, namely, the question of the currency. It was true that the hon. Member's Motion said nothing about the currency, but he had no doubt, his candour would admit—as, indeed, it was clear in his speech, that he looked forward for an inquiry in the Committee into the state of our monetary system. Although he did not think the present a good opportunity for entering into a discussion upon that subject, and should not therefore state the grounds upon which he objected to a Committee of Inquiry into the monetary system, grounds which he should be ready to state upon another occasion—he certainly could not allow the speech of the hon. Gentleman to pass without some observations. The hon. Member stated, in general terms, that the Act of 1819 was the cause of the evils existing in 1833. He did not, however, state what his remedy would be for the evils in our monetary system, of which he so loudly complained. Now, those who argued that an alteration ought to take place, ought also to state what their views were, and what sort of change it was which they desired, because it was very easy to declare that great distress existed in the country—was very easy to say, that the state of the currency was the cause of that distress; but unless those who made these assertions were ready to show how, by operating on the currency, the distress could be remedied, it was very hard to know precisely what they meant. The hon. Gentleman, and other hon. Members had, several times during the Session, found fault with his Majesty's Ministers because, in the King's Speech, the country was not described as being in a more deplorable state of distress than ever it had before been in. Now, he would fairly say, that one of the reasons why they did not make this statement in the King's Speech was, that they did not believe it. His experience in the House was sufficient to make him perfectly aware that there was nothing which exposed a man to more odium and obloquy than pretending, in the slightest degree, to believe that there was any class in the country at all prosperous and happy. He felt, therefore, that in stating his real opinion, as he was about to do, he was treading upon dangerous and delicate ground. He was quite aware, indeed, that there was great distress among the labouring classes, but it was not greater now than it had been some time before. He believed, on the contrary, that the information he had received, that the great mass of the labouring classes were in full employment, and that there were fewer persons out of work now, and less general distress, than at several former times, was correct. Among one class of the people, and in one part of the country, he knew that there was great distress, that nothing could exceed it; that the distress was grievous, and that it was, at least he was afraid it was, increasing rather than diminishing—he meant among the hand-loom weavers. They constituted a large and numerous class, and were in a state of great destitution. But that was not owing to the currency—it was owing to the competition between them and machinery, and must, therefore, he was afraid, increase. He was aware, too, that in many parts of the country, the agricultural labourers were in a state of great distress; but he did not think that was caused by the state of the currency. It arose from other causes, to which the Parliament must apply itself, and was bound to apply itself, in order to relieve the distress of the labourer. The hon. Gentleman had also stated, that distress had produced great demoralization among the people, that they looked with avidity for the death of each other, that they might obtain from the dissolution of their friends the means of subsistence. When the hon. Gentleman said, that the people wished one another dead, he could not believe it. How could it be? Or how could that change benefit the paupers, to whom the hon. Gentleman was alluding? What advantage could the death of others be of to them? But it was in vain to argue this question from reason; his feelings showed him that it was impossible. He knew enough of the feelings of the English people, to be quite sure that no Englishman, or at least no great body of Englishmen, ever let such a wish as the hon. Gentleman said enter their heads. The hon. Gentleman said, that by the sweat of their brow they could not get bread, because, as he said, there was now no remuneration for labour. At the same time, the hon. Gentleman said, that the labourer produced four times as much as was necessary for his own consumption. If that were the case, the country should be in a state of prosperity; but to have general prosperity from that, it supposed that every labourer was employed, and produced four times as much as he consumed, which appeared to him impossible. The hon. Gentleman also said, that he knew that for several years past the manufacturers and farmers had been living on their capital. That was scarcely possible, for if all tradesmen had been living for several years on their capital, all trade must before now have come to an end. The hon. Gentleman used, too, an inconsistent sort of argument: he said that one thing, which was formerly worth 4*s.* was now worth 8*s.*; and another, that was formerly worth 8*s.* was now only worth 4*s.* That only showed that one thing had got dear, and another thing had got cheap. The hon. Gentleman warned the House not to refuse the Committee; but the question was not so easily decided. It was proposed to appoint a Committee to inquire into the distress of the country; and every Gentleman, before he voted, was bound to ascertain whether granting the Committee would increase or diminish the distress. If they thought the Committee would increase the distress, the hon. Gentleman had no right to say that they did not feel for the distress of the country in voting against the Committee, He was satisfied, from the statements and arguments which it was supposed the Committee would approve of, that were it appointed, it would increase the distress a hundred-fold. He begged Gentlemen to consider what the effect would be on every creditor, public and private, should a Committee be appointed on the notion that it was necessary to make a depreciation in the currency. Why any gentleman, whether a Member of that House or not—any man who owed money, would have to pay it immediately. If they were not prepared to discharge all their mortgages in the next week, and not prepared to pay every thing they owed, what would be the necessary consequence. Why they must expect that their creditors would not be willing to lose by the depreciation, and they would demand immediate payment. That would be the tendency of the hon. Gentleman's Motion if complied with. The effect of the appointment of the Committee would be a general stagnation of credit in the country. The hon. Gentleman had said, if the Committee were not granted, they ought to consider what would the consequence be, for the people were prepared to require a general alteration in the currency. The hon. Member had spoken of the honesty of the people of England, and in that honesty he put the fullest confidence. He confided in their good sense, and he was glad that he had been able, from that confidence, to assist in granting them Reform. He should, however, have but very little confidence in their honesty, if he could believe, that all the debtors of the kingdom were ready to deprive their creditors of part of what was due to them. He did not apprehend that there was any such feeling among the people. He knew that the people expected from the Government every practical remedy for every practical abuse; he knew that the people expected every possible reduction of expenditure and of taxation consistently with the honour and good faith of the country; but he did not know and did not believe that the people expected the Ministers to commit an act of injustice. After the currency had been settled on its present footing for so many years—after so many contracts had been made since the period of the depreciation of the currency, the effect of going back to a depreciated currency would be to throw things into confusion and commit injustice. That was, he thought, as good an argument as could be given against the Motion. For these reasons, though he had not entered into the question fully, and having only wished to make a few observations on the speech of the hon. Member, he must say, that it was quite inconsistent with his duty to give his consent to the Motion.

Mr. *Cobbett* said, if the Committee were proposed to change the currency, he should vote against it. The only proposition was, that a Committee should be appointed to inquire. It appeared to him, as the Committee was not to make the change, but only to inquire into the distress of the country, the probability that some Member might propose a change in the currency was no reason for refusing the Committee. It was acknowledged on all hands—nobody now denied—that a great error was committed in 1819. A monstrous act of injustice was, in fact, then committed. The hon. member for Birmingham thought the decision was wrong, and was open to revision. The Committee might inquire, and might agree to the hon. Member's opinion, or might not. The Committee might make a report, and yet not recommend a change in the currency. If the hon. Member divided the House, he should vote with him.

Mr. *Edward Lytton Bulwer* wished to state shortly why he should vote against the Motion of the hon. Member. Whatever arguments might be stated, and however plausible, in favour of not altering the currency, if the Committee were appointed, on the Motion of the hon. member for Birmingham, the country would suppose that the currency was to be altered. That was the common-sense view of the matter; and were they to run the risk of shaking confidence throughout the country? He believed because the appointment of the Committee must shake confidence that it would increase the distress. He admitted, that there was great poverty and great demoralization, and great distress, part of which arose from the use of baneful stimulants. A great many evils arose from the administration of the Poor-laws. The Commissioners appointed to inquire into them had made many things apparent, and the administration of those laws must be amended. If that were done, and the law of settlement were altered, and a wise system of emigration planned, he should rely on them to remove the distress and difficulties of the country.

Mr. *Scholefield* said, that the whole business of the country was carried on upon credit, and the great mass of the tradesmen were insolvent. He did not like to speak of himself; but there was no presumption in it, and he would say, that though he used all his energies, he could not now make any species of property pay. He thought it was the duty of Parliament to inquire, when the noble Lord himself admitted that the class of hand-loom weavers were all in a state of distress. He was much interested for the middle and lower classes, and saw them going fast to decay. He had made some inquiries since he came to London, and he was informed, that, from Charing-cross to the Royal Exchange, three-fourths of the tradesmen, on both sides of the way, would be in a state of insolvency, if they were called upon to produce their accounts, and pay all the demands on them; he believed that to be a fact; he believed such a state of things to be general, and he thought a Committee ought to inquire into its causes. He did not believe, that the distress could be remedied by a change in the currency, unless it were accompanied by a reduction of taxation. The demoralization of the people was great, and it was making, he was afraid, a rapid progress. The hon. Member read two letters from Birmingham, describing the amount of Poor-rates in that town, the number of poor, and various details, concluding by saying, that the amount of Poor-rates in Birmingham for 1832-33 would not be less than 50,000*l.* He believed that, if the Government refused inquiry, fearful consequences would be the result.

Mr. *Maxwell* would ask the Government to adjourn the consideration of the question, if he had any influence, for he considered it of great importance. An act of great injustice had been committed against all the debtor people of England. It was a breach of good faith to them. They were ordered to take a one-pound note and a shilling for a guinea—they had done so, and had contracted debts in a depreciated currency. The State itself had borrowed a large sum in what was now called rags. The Government had not returned, by the Act of 1819, to the ancient standard of gold and silver, but to the gold standard only. The people had not had justice done them, though it was the duty of the Government to be the arbiter between the parties, and not throw its weight into the scale of either debtor or creditor. The distress, poverty, and crime, which existed in the country, were, unfortunately, adequate and ample reasons for not refusing the Committee. They ought not to turn a deaf ear to the people's complaints, and they ought to grant the Committee, which might, perhaps, by its inquiries, satisfy the people that the regulations of 1819 were right.

Mr. *George F. Young* said, that he was well acquainted with the state of the working classes in the neighbourhood where he resided; and that during the last twenty years he had never known distress so generally diffused amongst the labouring classes as at the present moment. Nor was it confined to the labouring classes alone, but extended to, and, indeed, in some measure, arose from the distresses of their employers. The shipping interest of this country, with which he was especially connected, was wholly unproductive to the shipowners. This was a melancholy fact, and it was to him a matter of much surprise to hear it asserted, that the distress was confined to the labouring population; for it had extended itself also to all classes of the trading population. There was an abstract proposition before the House, whether or not the industrious classes were in a state of distress; and, admitting that they were, then the question was, would the House investigate its cause, with a view to applying a remedy? If, in the course of the discussion, the question of currency should arise, the House would deal with it according to its wisdom. He would not prejudge that question; but it certainly appeared to him a very extraordinary doctrine that, because gentlemen were known to entertain certain opinions on that question, they were not to enter into an inquiry into the distress of the country.

Lord *Althorp* denied, that he had stated the distress of the country to be confined to the labouring classes, though he had instanced some extreme cases of distress amongst that portion of the community. He was aware that distress prevailed amongst the employers, though he did say, he did not think the distress was so general as it had been represented to be.

Sir *John Wrottesley* regretted, that the hon. member for Birmingham had mixed up with the discussion many extraneous topics to which he could not become a party. He fully concurred in what had been stated of the evidence of great distress amongst the labouring and middle classes of the community. He had, in common with the hon. member for Birmingham, great facilities for ascertaining the state of the trading and agricultural interests, and he knew the greater part of those statements which had been made by that hon. Gentleman were not exaggerated. As to the alteration of the standard in 1819, it was impossible to deny that it produced effects the most extraordinary that ever existed in any country. The hon. member for Birmingham had stated—what many persons who only viewed the matter superficially might not believe, namely, that capital was gradually sinking away from its possessors. Reverting to the measure of 1819, he certainly wished that some alteration had been made in the standard—not that which was made—but something more approaching to an equitable adjustment. In 1826, he thought they had committed a great fault. The alteration made then was an aggravation of that of 1819. In looking at these circumstances, they ought to regard them with the view of providing a remedy; and he could not bring himself to believe that the propositions of the hon. member for Birmingham would produce that desirable result. He never knew a Committee of that House answer any good purpose, the duties of which were not specifically defined. If, indeed, he thought the investigation into the distress would not go forth to the country mixed up with other circumstances, he should have great pleasure in voting for the appointment of a Committee; but he was convinced, from the opinions which had been expressed by the hon. member for Birmingham and various Gentlemen, that if a Committee were appointed, and that Committee a select one, it would be a means of holding out hopes to the country which it would be impossible to realize. With great respect for the hon. member for Birmingham, he thought the means by which that hon. Gentleman had attained a certain degree of celebrity, for which, no doubt, his talents well qualified him, had, unintentionally he believed, produced an expectation of relief by acting on his propositions, which would necessarily give rise to a belief that a change would be made in the currency. It was mischievous, especially during the present state of difficulty and excitement, to hold out hopes to the working classes which could not be realized. Anxious as he was to relieve the distress of the country, he looked to other sources than those resorted to by the hon. mover, he looked to his Majesty's Government to reduce the expenditure of the country, and to diminish, if the state of the finances permitted it, the burthen of taxation. He must say one word for the country generally, with regard to the assessed taxes, respecting which so great an outcry had been made. He admitted the inequality with which they were levied; but if the noble Lord (the Chancellor of the Exchequer) should find himself in a situation to propose the reduction of taxation, he hoped he would continue the system which had hitherto been pursued, and begin by relieving those who were most entitled to commiseration—the working and poorer classes—in preference to tradesmen in towns, and particularly the metropolis. They had taken off four millions of taxes, in pursuance of this system. They had taken off the taxes on beer, coals, candles, and printed cottons—the dress and necessaries of life of the lower classes. He hoped they would proceed on the same plan, and that they would begin by taking off the tax on soap, which would be highly beneficial in a fiscal point of view, and prove a seasonable relief to the poorer classes of the community.

Mr. *Clay* said, that if he saw any hope of deriving a practical advantage from appointing a Committee, he would support the Motion; but the inquiries of such a Committee would necessarily be of so general a nature as to render the discovery of practical remedies impossible. How various, indeed, were these causes of the distress in the estimation even of those who supported the inquiry. The hon. member for Tynemouth spoke of the shipping interests the hon. member for Birmingham of the monetary system and the working classes—others of the distresses of the agricultural, the trading, and the manufacturing part of the community. An inquiry which was to embrace all these various subjects was, in his humble opinion, one of the wildest schemes ever proposed. He admitted that great distress prevailed amongst all classes of the community; but some hon. Members did not appear to take into consideration that many of these distresses could not be cured by legislative enactments.

Mr. *Cayley* wished to observe, that it was a general impression that the Motion would not be brought on to-night, and that to press it at the present moment would scarcely be giving the question a fair chance. He hoped, therefore, the hon. Gentleman would consent to a postponement; at the same time, if he pressed his Motion, he should be prepared to support him.

Mr. *Baring* thought it wrong to occupy the time of the House with an imperfect discussion of a most important subject. Besides, there was a notice of Motion for a revision of the monetary system by the hon. member for Whitehaven, and he should prefer postponing the subject of the currency till the day fixed for that Motion. Such was the state of uncertainty in which everything was at present involved, in consequence of the conduct of his Majesty's Ministers—such was the uncertainty which existed with regard to the West-India trade, the East-India trade, and the Canada trade, that no one would just now dare to risk his capital in them. The noble Lord must be aware that no one would at present risk a sixpence in the West-India trade until the West-India question was settled; that no one would embark his capital in the East-India trade until it was determined whether it was still to be carried on by a monopoly, or to be thrown open to mercantile speculation at large; and that an equal disinclination existed to invest capital in the Dutch and Canada trade, because it was impossible for any man to say, that they would be allowed to remain under their present regulations for six months. The question of the Bank of England was in his estimation of less importance than either of these, but the uncertainty which prevailed on that was no slight evil. It was this state of uncertainty, and the consequent present languishing condition of trade and business, that mainly caused the distress which prevailed throughout the country. When hon. Gentlemen talked of the increase of crime and of poverty in this metropolis, and in the country at large, it would be well if they referred for a moment to what was the state of things in other countries. He believed, according to the best of his recollection, that it would appear from the statistical returns of Paris, that upwards of one-third of the population of that metropolis died in poor houses and hospitals; that, out of twenty-four deaths eight took place in poor-houses and hospitals. It could not be denied that that was a proof of the existence of great distress in that capital. Then, with regard to the state of morals in Paris, there was this striking fact—that out of 25,000 births there were 10,000 illegitimate, and that about one-half of those were foundlings. When hon. Gentlemen talked of the increase of crime in this country, it would be well for them to look abroad, and see what was the state of things there. His objection to going into the Committee moved for by the hon. member for Birmingham was this—that the object of the hon. Member in getting them into such Committee, was to effect, if he could, a depreciation in the currency. That would be no doubt the remedy which the hon. Member would propose for the distress of the country, if he should obtain a Committee, and it was for that reason that he should object to the Motion. He objected to it, because he did not think that such a remedy would be attended by aught but mischievous consequences—he objected to it, because he could never bring his mind to understand how, because money had been made the measure of commodities, an increase could be effected in the wealth of the country by altering the nature of that measure. It might as well be said, if there was a want of corn in the country, that the quantity of corn would be increased by going back to the use of the old measure of the Winchester bushel, instead of the imperial bushel. He would as soon believe that, as that any Gentleman could, by altering the nature of the circulation, increase the wealth of the country. He would not object to going into the Committee asked for by the hon. Member, if that Committee should confine its inquiries to the question, whether a double standard, one of silver and one of gold, might not be advantageously resorted to. He was of opinion, and many Gentlemen were of the same opinion, that at the time of settling the currency question the Legislature committed a great mistake in fixing upon a single standard, that of gold. He protested against our doing so at the time that the question was settled, and the gold standard determined upon. He was glad to find that the Governor of the Bank of England was now of the same opinion, and, he trusted, that the time was not far distant when such a remedy—a remedy to which he attached the greatest importance, in facilitating the circulation of the country, and rendering it secure against many dangers—would be applied to the existing state of things. He was ready to go into a Committee for such a purpose, but not for the purpose of depreciating the currency. He was sure, however, that if we should establish a silver as well as a gold standard, and if an alteration of the payments of the country bankers were effected, we might be enabled then, without any danger, to permit a re-issue of the 1*l.* notes. But when the object of the hon. Gentleman who moved for the Committee was to reduce the 1*l.* in value to 15*s.*, he would object to such a Committee. He hoped, that, upon some future and more fitting occasion, this question would be deliberately discussed by the House, and he had to apologize for taking up so much of its time upon a debate that could lead to nothing.

Mr. *Matthias Attwood* hoped, that his hon. relative, the member for Birmingham, would withdraw his Motion, and bring it forward on another occasion, when it might be more likely to receive the attentive consideration of the House. Everything that he had heard tended to convince him of the prevalence of great and appalling distress throughout the country. He did not agree with his hon. friend, the member for Essex, that the amount of distress had been exaggerated. He indulged no such hope. He regretted that this subject had been brought forward to-night, as it was not likely to meet with that attention which its extreme importance required; at the same time, if his hon. relative took the sense of the House on the question, he should support it. He must express his surprise, as well at the grounds upon which the noble Lord opposed this Motion, as at the utter want of information the noble Lord manifested on the subject. He was surprised, that the noble Lord had not heard from his supporters what an entirely different state of things really existed from what he seemed to imagine. The noble Lord said, that, undoubtedly, great distress prevailed among the hand-loom weavers, but added, that it arose from the introduction of power-looms. But, was the noble Lord ignorant, that the power-loom had been in general use for the last thirteen years? Surely the noble Lord could not be serious in imputing the distress in the manufacturing districts to the employment of machinery. The noble Lord admitted, that great distress prevailed among the peasantry; but he did not state what had occasioned their distressed situation. The noble Lord admitted that the tradesman was distressed; but the noble Lord appeared to be profoundly ignorant of the cause of the distress experienced by all classes; and he refused to investigate the causes. Was the noble Lord aware that great portions of the trading community were living upon their capital, which should be, by its profitable employment, instead of its consumption, not only the means of support to themselves, but the foundation and strength of the prosperity of the community—capital which, if once destroyed, would lead to a state of things that he would not attempt to describe. He rose, however, chiefly with a view of replying to an observation which fell from the noble Lord. The noble Lord said, in reference to what fell from his hon. relative, that it would not be honest to change the standard of the currency. But his hon. friend and relative said nothing respecting the dishonesty of the Act of 1819, which the noble Lord admitted gave to the creditor more than he was entitled to receive. He did not apply the term "dishonest" to that measure, nor did he call the Act of 1829 dishonest. But he told the noble Lord, that if he thought that there was any security in the present system, he was completely mistaken. He was sure, that the noble Lord must feel that the whole of the present system of the currency rested on a rotten foundation. But he would tell the noble Lord, if he really believed in the security and permanence of the present standard, that he was bound, in good faith, and on every principle of honour, to support an inquiry into the changes which had taken place in the terms of almost every transaction of trade and commerce from abandoning a cheap money, and resorting to a dear money. He said, if inquiry were refused—not as to what could be done tending to a violation of existing contracts—but as to what steps should be taken to prevent the violation of contracts; the Government would sacrifice every principle of honesty and justice. The hon. member for Essex said, that we heard of the prevalence of great distress in this country; but added, that he did not believe that it prevailed to anything like the extent described. He was satisfied, that the distress was so great, and prevailed to such an extent, that it was hardly possible to make use of too strong language in describing it; but if there were a doubt on the subject, why should not there be some inquiry to show the groundlessness of the fears entertained? His hon. friend said, that he objected to a Committee, because it might propose a depreciated standard of value. But his hon. friend forgot his own measure for reducing the standard of silver to 5*s.* 2*d.* per ounce, which certainly was in itself a proposal for a depreciation of the currency. The hon. member for the Tower Hamlets had, amongst other reasons for opposing this Motion, said, that he could not consent to the appointment of a Committee that was to go into such a wild and general discussion as to whether the corn-laws, the currency, the taxes, &c., were the causes of the distress of the country. Now, he (Mr. Attwood) would say, that nothing could be more wild than for Parliament to refuse such an inquiry at the present moment, when distress was prevalent throughout the kingdom, and when inquiry and relief were universally demanded.

Mr. *Beaumont* said, he should refuse his consent to the motion, and he only would do so because he had such confidence in Ministers that he believed they would do everything that was necessary in the state of the country. The hon. member for Birmingham entertained peculiar notions with respect to the currency, which might be right or not; but they deserved to be examined. His only ground, he repeated, for refusing his assent to the motion was, that Ministers had not yet had it in their power to lay before the House those remedial measures which, he doubted not, they had prepared.

Mr. *Fielden* said, no doubt could be entertained of the fact, that great and almost unbearable distress existed in the country, and they were bound, at least, to inquire into the nature and causes of that distress. In the motion of the hon. Member, there was not a word about currency, and had it not been stated in debate, he could not have inferred that the motion involved that question at all; but were the people of England to be told, that their grievances were not to be inquired into, because it might raise a question on the currency? And were the poor distressed hand-loom weavers to rest satisfied with being told they were suffering severe distress, which could not be removed because they had to compete with power-looms? If he thought power-looms were the cause of the distress—he and his partners had nearly 1,000 of them—if it could be shown they caused the distress, he should like to see them all broken to pieces to-morrow;—but they were not the cause, for anything, calculated, like machinery, to facilitate and increase production, was a blessing to any people, if the things produced were properly distributed. It was the duty of the Legislature to cause such a distribution to be made; and if he were of opinion, that the relief of public distresses could not be effected by the Legislature, he would take his hat and walk away, and not come within the walls of St. Stephen's again. The labouring people were in deep distress—there was a cause for it, and if the King's servants could not find a remedy for it, they were not fit to fill the benches they occupied; and he would tell them that they could not fill them long. But who were they that had brought the industrious people into this extreme distress? It was not the new Members of this House, but it was those who had been the legislators for years. His Majesty's Ministers, the right hon. the member for Tamworth, the right hon. the member for Essex, and others, "*not right honourable said some one*."] Well, not right hon. then; he was apt to make mistakes of this sort, being a new Member. His training had been at the spinning jenny and the loom, and not at the college and the courts; and he thought that he was entitled to the indulgence of the House on that account. Yes, it was from those gentlemen, who, by a long train of misrule, had brought on the distress, that he demanded a remedy. The hon. member for Essex told the House that there was great distress in France and on the continent of Europe, and it was vain to expect relief from it here. What! were the people of England, who produced more than was requisite to make them all well off, to be told that, because distress existed in France, and on the Continent, they were to suffer distress too? He would carry the hon. Member across the Atlantic, and refer him to a people there—a people speaking the same language, the descendants of Englishmen, too—and ask him how it was, that a common labourer there, who did not produce more than a common labourer in England—how it was that for a week's labour he could get a barrel of the best flour, weighing 196 lbs., while the English labourer could not get more than seventy-two lbs.; and why the weavers there could get three times as much flour for their labour as his poor weavers got? It was because they were heavily taxed, and the Americans were not. Yes, it was this taking away in taxes from those who labour and giving it to those who do not labour, which was the cause of this distress. And would the Reformed House, from which so much was expected, tell the people of England that the cause of their distress should not be inquired into, and that no remedy could be applied? But it was said, the distress was confined to one class. He would tell the House that it was not the labouring people only who were suffering, but those who employed them were sinking with them, amidst unprecedented and increasing production too. Those in the cotton trade had nearly trebled their production since the close of the war: in that year the consumption was 6,000 bags of cotton a-week;

in 1824, it was 11,000; and in 1832 it was 17,000. For manufacturing the 11,000 bags a-week, consumed in 1824 (whether it was made into fustians. 74*s.*, calico, 72*s.*, power loom calico, or water-twist, four leading articles in the cotton trade), the manufacturers and their workmen received a less sum of money than they did for the 6,000 in 1815, and they received still less for manufacturing the 17,000 bags a-week in the year 1832. The hon. member for Essex had told the House, which was true, that money, as a mere measure of commodities, did not alter the real value of these manufactures. How came it, then, that he, who was a manufacturer, and his poor weavers, to pay taxes had now to produce three of those articles of manufacture, one of which would pay the same sum in taxes at the close of the war? How was that? Was it just? Was it reasonable? There had been no loans contracted since the war, no increase of national debt, and yet they were thus dealt with. This, then, accounted for the distress—they had three things or three days' labour instead of one to give in payment of taxes; they had thus lost two thirds of their labour—and where was it gone to? What had become of it? What they had lost, somebody had gained. He had heard a great deal said by different persons, since he came into that House, about the protection that should be given to property, and no one had urged this more strongly than the right hon. member for Tamworth. That was what he required; he asked no more; and if the noble Lord and those who acted with him would grant that, he and his poor weavers would not complain of distress. But they were not protected; their labour, their property, was taken from them, by increased and unbearable taxation, in a threefold proportion to what it was at the close of the war; and given by the Government to fundholders, placemen, pensioners, sinecurists, and all who lived upon the taxes and fixed-money incomes—who now had three articles of manufacture for the sum that would formerly buy them but one. He asked, then, was there no remedy to be found for our distress in this Reformed House of Commons? Would they not inquire into the cause of the sufferings of the people? They had expected great benefits would result from a Reformed Parliament—they had for two or three years, waited patiently for this reform; and, if their expectations were not fulfilled, if they found that justice was denied to them, he trembled for the consequences.

Mr. *Pease* observed, that the task which they would have to impose upon the proposed Committee would be almost Herculean, and he should not feel inclined to support the motion merely on abstract principles. If the Committee were to be composed entirely of economists, of one particular sect, he should oppose it; but the cry against former Parliaments had been, that they did not represent the feelings of the country. Were the Reformed House of Commons, then, justified in refusing to go into a Committee to inquire into a subject of so much interest to their constituents? If they did refuse, the country would think, and would think justly, that there was no disposition in that House to listen to the complaints of the people in this Parliament any more than in former Parliaments. He believed that a Committee of the nature proposed would collect a mass of valuable information, and would probably bring forward some very important suggestions for the improvement of the condition of the labouring classes. He was certainly of opinion, that it would be better, if the motion were withdrawn, and put into a different shape: but he would never refuse an inquiry into those distresses, which were allowed on all hands to be great and grievous, and he feared almost overwhelming.

Mr. *Warburton* said, that if he thought, by the observations which he was about to make, he should delay for ever so short a period the commencement of the business in the Committee upon the Irish Disturbances' Bill, he should sit down immediately. The present discussion was the most desultory which he had witnessed since the opening of the present Parliament. When a motion of a similar nature had been proposed on a former occasion, during a former Administration, it had been argued against such an inquiry, that it would not lead to any practical good. On the same ground he would vote against the inquiry at present, because he not only considered that it would lead to no practical good, but that it would produce much practical evil, and would greatly augment the distress, to relieve which was its professed object. If the Motion were carried, in his opinion it would be the duty of the Administration to quit office to-morrow. The House of Commons itself was the proper Committee for inquiring into the grievances of the country. If any Gentleman considered that there was any particular grievance which deserved to be inquired into, he had it in his power to state his reasons to the House, and it was then for them to grant a Committee to inquire into the particular grievance. He agreed with the hon. member for the county of Durham, that the task of such a Committee would indeed be Herculean. He thought that this House would never make itself a party to so monstrous a system of injustice as that of being instrumental in breaking all contracts entered into for the last fifteen years, merely because a similar injustice had been committed at two former periods —and because the currency value had been depreciated in 1797, and enhanced in 1819, the Reformed Parliament would not surely say, that it ought to be depreciated in 1833. The greatest injustice would be perpetrated by a change which would break contracts to an extent much larger even than the former violation of them. If the Legislature were to agree to any such proposition, then he would say, indeed, in the words of the Earl of Chatham, alluded to by an hon. Gentleman the other evening, Let "discord reign." It would, in fact, be a revolutionary measure, and would be destructive of the foundation of all property.

Mr. *O'Connell* said, that as long as he conceived there was a prospect of the House resolving itself into a Committee on the Irish Bill, he would not interfere with the discussion; but as there appeared to be no chance of doing so that night, from the lateness of the hour, he could not reconcile it with his sense of duty to give a silent vote on the question before the House. That question resolved itself into this—would the Government, or would they not, allow the appointment of a Special Committee to inquire into the distress of the country? That was the single question before the House, and, he would say, was the sole prevailing motive which induced the people to insist on a Reform of Parliament. They were now most anxious that such an inquiry should be instituted, and that without delay; and if there were no other reason for falling in with the wishes of the people than that the concession would give them satisfaction, that surely was reason enough. Did the Government deny that distress existed? If so, inquiry would, in their estimation at least, be beneficial. Did they decline to make the denial? No; whence, then, the opposition to inquiry? They could not deny that great distress existed throughout the country. It was an admitted fact, that a great deal too much distress was to be found in England, while Ireland, it was certain, was overwhelmed with it. A complete case for inquiry had been made out; and what was the ground for opposing the inquiry? That, forsooth, it would be useless—that it was inexpedient—that it would produce mischief. But why would inquiry produce mischief? Because it would generate delusive hopes. Indeed! But would the absence of inquiry tend to discourage the growth of delusive hopes? Inquiry would surely rather have a contrary tendency, and that would be, to display the delusive character of those expectations, and thus to destroy them. His opinion was, that the Representatives of the people would neglect their duty if they refused to institute an inquiry into the distress of the country, in order to ascertain what could be done to lessen, to mitigate, or to remedy it. He could not help thinking that his hon. friend, the member for Bridport, in the view he had taken of the question, had stated but half the case. The contracts to which he had alluded existed during a period of the greatest depreciation of the currency, and in Ireland more mischief had been done by enhancing the currency than could have been effected by any social revolution. That enhancement had, in fact, made Ireland a debtor country. One of the great evils of Ireland was, that so many of the landed proprietors resided out of the country. The tenants with whom they had made contracts were, by the change of the currency, actually paying fifty per cent, more than they bargained to pay, and they could get no relief. He knew several cases of extreme hardship in this respect, which were all to be traced to the enhancement of the value of the currency. The great thing was to put labour in motion; to increase the generator of labour. Now, they would do that, if they extended the currency so as to reach labour in all its various and minute branches. If a backwoodsman in America were to determine not to cut down a tree except with an axe of gold, he would be treated as a madman, because he was enhancing the value of the generator of labour. But by enhancing the value of the currency in this country, they had enhanced the value of the generator of labour. Whatever might be thought upon that subject, however, an inquiry ought to be instituted into it, to ascertain the balance of good or evil which might result from any change. At a time when the empire was in such great distress, when one limb of it was convulsed, and desolation and poverty stalked through the land, was it not the most sacred duty of a Reformed Parliament to inquire into the practicability of remedying evils so deplorable? He was proud of a Reformed Parliament which had acquired the hon. member for Oldham (Mr. Fielden) one of a class of sufferers which he so well knew how to describe. That was a most useful class: and it was one of the proudest boasts of the country, that from that labouring class a man might raise himself to the highest station in society. The Representative of that valuable class, the presence of that hon. Member, ought to be an additional motive to the House for appointing the proposed Committee, in order that he might have an opportunity of explaining his views, and that the Committee might refute him if he were in error, or concur with him if his opinions should appear to be just.

Mr. *Harvey* wished to say a few words, in order that the vote which he was about to give might not be mistaken. To oppose a motion which had, for its object, an inquiry into the distress of the labouring classes, carried with it the appearance of disregarding what every man must feel was a subject entitled to the most serious attention. But the hon. member for Birmingham ought to have brought forward his Motion under more favourable circumstances. It was not just thus to place Members in a false position. No one but the hon. Member himself could have anticipated this sudden introduction of one of the largest questions to which the attention of Parliament could be directed, and on which every one ought to prepare his mind before he took a part in its consideration. He opposed the Motion because its effect would be, to shift the responsibility from the shoulders of his Majesty's Government. No man was more sensible than he was of the depth of the general distress, and of the necessity of adopting some means for its relief. But while all agreed on that point, no one could doubt the mode in which the relief should be afforded. The evil was the magnitude, and still more the unequal character, of the taxation of the country. He should be sorry, therefore, to acquiesce in a Motion, which would divert from his Majesty's Government their responsibility on that point. He wished first to see the noble Lord's budget, and to see what relief he was prepared to afford, both by the remission of taxation and by the introduction of changes into that which remained. For, he repeated, it was not more the burthen than the inequality of taxation which was oppressive. After the taxes which bore partially had been modified, and after the most rigid economy had been enforced in every minute department of the public expenditure, then further relief must be obtained by the remission of taxes bearing on industry, and the substitution of a well-graduated Property-tax. As to the question of the currency, that was the greatest fallacy conceivable. There was plenty of money in the country; all that was wanted was a mode of applying it. The worst of it was, that the money was in heaps and masses. There was but little scattered over the country; but it had been drifted, as if by accident, into large shoals. The way to disperse it, was, to make those contribute the most by taxation who were possessed of the greatest means to do so.

Mr. *Robinson* said, that of all the arguments against the Motion, that of the hon. member for Bridport, seemed to him to be the most extraordinary—namely, that if the House consented to go into the inquiry, his Majesty's Government would be bound to abandon their places. That was an extraordinary argument indeed, to be used by an independent Member of the House of Commons. The appointment of the proposed Committee had been opposed by the same line of argument which had been urged on all former occasions of a similar nature. The inquiry was always too general, or too particular. Some said, that there was no definite object; others that there was a definite object, but that it was an erroneous one. In the present state of the public mind, it would be a great misfortune if the House refused to agree to the Motion of the hon. member for Birmingham. For that Motion he should certainly vote; not that he bound himself to adopt that hon. Member's particular opinions, but on the ground that there was great distress, and that the causes of that distress ought to be investigated.

Mr. *Tooke*: Intending to vote in favour of the Committee as on an abstract proposition, I would wish to guard my vote by stating that I differ entirely from the avowed collateral and ulterior motives of the hon. Mover. I know, however, that distress exists; I believe that the people of

England expect from us an inquiry into the cause of it; I am sure they are entitled to that inquiry, and having perfect confidence in their good sense, I feel assured that they will be satisfied with a well conducted investigation, and an honest report of the result.

The House divided—Ayes 158; Noes 192: Majority 34.

List of the NOES.

Abercromby, Hon. J.
Adam, Admiral
Althorp, Viscount
Anson, Sir G.
Atherley, A.
Bannerman, A.
Baring, A.
Baring, F.
Baring, F. T.
Barnard, E. G.
Beaumont, T. W.
Benett, J.
Bernal, R.
Brougham, W.
Brougham, J.
Browne, D.
Bulwer, E. L.
Bulteel, J. C.
Burdett, Sir F.
Burton, H.
Buxton, T. F.
Campbell, Sir J.
Carter, J. B.
Chapman, M. L.
Chaytor, Sir W.
Chetwynd, Capt. W. F.
Chichester, Lord A.
Clements, Lord
Clive, E. B.
Clive, Viscount
Clive, Hon. R. H.
Codrington, Sir E.
Curteis, H.
Curteis, H. B.
Dalrymple, Sir J. H.
Dashwood, G. H.
Davies, Lieut.-Col.
Divett, E.
Donkin, Sir R. S.
Dundas, Capt. D.
Dundas, Hon. J. C.
Eastnor, Viscount
Elliot, Hon. Captain
Evans, W.
Evans, G.
Ewart, W.
Fazakerley, J. N.
Ferguson, Gen. Sir R.
Fitzgibbon, Hon. R.
Fleming, Admiral
Forester, Hon. G. C. W.
Forster, C. S.
Foulkes, Sir M.
Gaskell, J. M.
Gisborne, T.
Gladstone, W. E.
Gore, M.
Graham, Sir J. R.
Grant, Right Hon. C.
Grant, Right Hon. R.
Grey, Hon. Colonel
Gronow, Capt. R. H.
Grote, G.
Halse, J.
Handley, W. F.
Harvey, D. W.
Hawes, B.
Heathcote, J.
Heron, Sir R.
Herries, Rt. Hn. J. C.
Hill, Lord A.
Hill, Lord M.
Hobhouse, Sir J. C.
Horne, Sir W.
Howard, Hon. F. G.
Ingestre, Lord
Johnston, A.
Johnstone, Sir I. V.
Keane, Sir R.
Kennedy, T. F.
King, Bolton
Lamb, Hon. G.
Lamont, N.
Lemon, Sir C.
Littleton, E. J.
Loch, J.
Lushington, Dr. S.
Maberly, Col. W. L.
Martin, J.
Martin, J.
Marsland, T.
Maxwell, J. W.
Mildmay, P. St. J.
Milton, Viscount
Morrison, J.
Morpeth, Viscount
Mullins, F. W.
Murray, J. A.
Nicholl, J.
O'Callaghan, Hon. C.
Oliphant, L.
Ord, W. H.
Ormelie, Earl of
Oswald, J.
Palmerston, Viscount
Peel, Rt. Hon. Sir R.
Pelham, Hn. C. A. W.
Pendarves, E. W.
Perrin, L.
Petre, Hon. E.
Peter, W.
Philips, M.
Pinney, W.
Ponsonby, Hon. W.
Potter, R.
Poulter, J.
Ricardo, D.
Rice, Hon. T. S.
Ridley, Sir M. W.
Rider, T.
Robarts, A. W.
Rolfe, R. M.
Romilly, E.
Romilly, J.
Russell, Rt. Hn. Ld. J.
Russell, Lord C.
Sandon, Viscount
Scott, E. D.
Sheil, R. L.
Sheppard, T.
Smith, J. A.
Smith, Hon. R. S.
Smith, R. V.
Spencer, Hon. F.
Stanley, Rt. Hn. E. G.
Staunton, Sir G.
Stewart, Sir M. S.
Stewart, E.
Stewart, R.
Strutt, E.
Tennent, J. E.
Thomson, Rt. Hn. C. P.
Todd, R.
Verney, Sir H.
Vernon, G. J.
Villiers, Viscount
Walter, J.
Warburton, H.
Ward, H. G.
Wedgwood, T.
Weyland, R.
Whitbread, W. H.
Whitmore, W. W.
Willoughby, Sir H.
Wood, G. W.
Wood, C.
Wrottesley, Sir J.
Wynn, Rt. Hn. C. W.
Wyndham, Wadham

TELLER.
Duncannon

List of the AYES.

ENGLAND.
Aglionby, H. A.
Astley, Sir J.
Attwood, M.
Attwood, T.
Bainbridge, E. T.
Beauclerk, Major A.
Berkeley, Hon. C. F.
Bewes, T.
Biddulph, R. M.
Bish, T.
Blackstone, W. S.
Blake, Sir F.
Brigstrick, W. P.
Briggs, R.
Briscoe, J. I.
Brocklehurst, I.
Brodie, Captain
Bruce, Lord E.
Bulkeley, Sir R. W.
Calvert, N.
Cayley, Sir G.
Cayley, E. S.
Chandos, Marquess of
Chaplin, Colonel T.
Chichester, J. P. B.
Clayton, Col. W. R.
Cobbett, W.
Collier, J.
Cookes, T. H.
Dare, R. W. R.
Darlington, Earl of
Davenport, J.
Dawson, E. S.
Dilwyn, L. W.
Duncombe, Hon. W.
Egerton, W. T.
Etwall, R.
Faithfull, G.
Feilden, J.
Feilden, W.
Fellowes, Hon. N.
Fenton, J.
Fenton, Captain L.
Fryer, R.
Guest, J. J.
Guise, Sir B. W.
Gully, J.
Hall, B.
Handley, H.
Harland, W. C.
Herbert, Hon. S.
Hodges, T. L.
Hoskins, K.
Hoy, J. B.
Hume, J.
Hyett, W. H.
Ingham, R.
James, W.
Kemp, T.
Knatchbull, Sir E.
Lister, C.
Locke, W.
Lygon, Hon. Col. H. B.
Mills, J.
Norreys, Lord
Palmer, R.
Parker, J.
Parker, Sir H.
Parrott, J.
Pease, J.
Pigot, R.
Plumptre, J. P.
Pryme, G.
Rickford, W.
Rippon, C.
Robinson, G. R.
Russell, C.

Sanford, E. A.
Scholefield, J.
Scott, J. W.
Seale, J. H.
Shawe, R. N.
Simeon, Sir R.
Skipwith, Sir G.
Staveley, J. K.
Tooke, W.
Torrens, Colonel
Townley, R. G.
Trelawney, W. L. S.
Trevor, Hon. R.
Turner, W.
Tynte, C. J. K.
Tyrell, Sir J. T.
Walker, R.
Wason, R.
Watkins, L. V.
Watson, Hon. R.
Welby, G. E.
Wigney, J. N.
Wilks, J.
Williams, Col. G.
Wilmot, Sir J. E.
Windham, W. H.
Winnington, Sir T.
Yorke, Captain C. P.
Young, G. T.

SCOTLAND.

Arbuthnot, General
Colquhoun, J. C.
Dunlop, Captain J.
Ewing, J.
Ferguson, Captain
Gillon, W. D.
Gordon, Captain W.
Halliburton, Hon. D.
Hay, Sir J.
Hay, Colonel L.
Maxwell, Sir J.
Maxwell, J.
Oswald, R. A.
Ross, H.
Sharpe, General M.
Sinclair, G.
Wallace, R.

IRELAND.

Baldwin, H.
Barron, W.
Bateson, Sir R.
Bellew, R. M.
Butler, Hon. P.
Dobbs, C. R.
Ferguson, Sir R. A.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, N.
Galway, J. M.
Hayes, Sir E.
Lalor, P.
Lambert, H.
Macnamara, Major
Martin, T.
Nagle, Sir R.
O'Brien, C.
O'Connell, D.
O'Connell, M.
O'Connell, C.
O'Connell, J.
O'Connell, Morgan
O'Connor, F.
O'Dwyer, A. C.
Perceval, Colonel
Roche, W.
Roche, D.
Ruthven, E. S.
Ruthven, E.
Stewart, Sir H.
Talbot, J. H.
Talbot, J.
Vigors, N. A.
Walker, C. A.

RELIGIOUS TOLERATION.] The *Solicitor General,* having presented a Petition from Dudley, agreed to at a public meeting, and signed by several thousand respectable inhabitants of that place, praying that such an ecclesiastical reform may be devised as that every religious sect shall be supported by the voluntary contributions of its adherents; petitions from the Methodists (of the new connexion) of Ebenezer Chapel, Dudley, of Mount Zion Chapel, Wolverhampton, and of Temple-street Meeting-house, Bilston, complaining of the various grievances to which Protestant Dissenters are at present subjected, and praying to be relieved therefrom; and a petition from Dudley, signed by several clergymen and many of the inhabitants, belonging to different religious persuasions, praying for the removal of all civil disabilities affecting the Jews—said, that although it had been usual, of late, in presenting petitions, merely to state the substance of them, and to move that they be laid upon the Table—considering the importance of these petitions, he hoped the House would indulge him with a few observations upon one or two of the grievances of which they complained. He entirely concurred in the sentiment, that men of one religious persuasion should not be taxed to defray the expense of the worship of another. For that reason he thought Dissenters justly protested against the payment of Church-rates. Church-rates were a tax—a forcible contribution of a portion of a man's own property to a public purpose. Many of his constituents were Dissenters of different denominations, who build and repair their own chapels, and maintain their own pastors. Why should they be taxed to build or repair another place of worship of which they made no use, or to defray the expense of rites and ceremonies which he looked upon with reverence, but which they might regard as anti-scriptural or idolatrous? Some of his most respectable constituents were Quakers. Was it consistent with justice, to say nothing of the liberality of the age, that, at the peril of their goods being seized and sold, or what was worse, being cited in the Ecclesiastical Court, they must pay a part of their substance to adorn altar-pieces, to procure surplices, and to administer sacraments which they (however erroneously) conceive to be contrary to the word of God? Although connected with his Majesty's Government, he was speaking as an independent Member of Parliament; and in that capacity he could not help expressing an earnest wish, that as Vestry-cess or Church-rates were to be abolished in Ireland, so they might speedily be for ever abolished in England. He knew no reason why the Protestant Dissenter in England should be in a worse situation than the Catholic Dissenter in Ireland; and he did trust that the petitioners were not less entitled to redress because they had not hitherto resorted to insurrection or violence to show their sense of the wrongs which they endured. Another subject of complaint which he could testify to be extremely well founded, was the want of a register of births, marriages, and deaths, including the whole population of the kingdom. Pedigree was not matter of religion, but exclusively connected with civil rights. At present there was no register of births, and the register of baptisms was confined to children of members of the Church of England. By compelling Dissenters to be married according to the ceremonies of the Established Church (in itself considered a grievance), there was a register of marriages, except of Quakers and Jews; but there was no register of deaths; and the register of burials, like that of births, was confined to the Established Church. If any record was kept of baptisms, marriages, or burials, in a dissenting meeting-house, it was treated with scorn, and not admitted as evidence in any court of justice. The consequence was, that when there was any question of pedigree in a family of Dissenters, the greatest difficulties were felt in establishing it, and parties were in danger of losing their just inheritance. This subject had occupied much of his attention, and he should be happy to lend his best assistance to find out an effectual remedy for such crying evils. He would now only trespass on the patience of the House with a few observations on the petition he had the honour to present in favour of the Jews. He most heartily concurred in the opinions it expressed; and he was rejoiced to think that it was signed by those who were not indifferent to religion, but who, like himself, were sincere believers in the Christian revelation, and earnestly wished that its doctrines might be speedily embraced by the whole community of mankind. He thought that the withholding of civil rights for religious belief was persecution, and that persecution never promoted the propagation of the true faith. He would take that opportunity of vindicating himself and an honourable body of men to which he belonged from a charge lately preferred in his absence by the hon. member for Oldham. He accused the Benchers of Lincoln's Inn of improper conduct, in calling a Jew to the Bar. They did, in the last term, call a Jew to the Bar, and it was their unanimous act, after great deliberation —there being present the Vice Chancellor of England, the Chief Judge of the Court of Bankruptcy, the Attorney General, about twelve King's Counsel, and the humble individual who had then the honour to address them; and he was proud to think that he took an active part in that discussion, and had some share in showing the propriety of the determination at which they arrived. They found that the Legislature had imposed no such disability upon a person professing the Jewish religion, as that he should not be called to the Bar; and as the individual in question had received a liberal education and was of unimpeached character, they should have been guilty of a gross breach of duty if they had not permitted him to exercise that profession to which he had devoted himself.

Mr. *Petre* was much gratified at hearing the liberal sentiments expressed by the hon. and learned Member, respecting Protestant Dissenters; but there was one grievance which pressed upon Roman Catholics, which was at least equal in importance to any that the hon. and learned Member had adverted to; he alluded to the law which rendered a marriage between a Protestant and Catholic invalid, and of which unprincipled men frequently availed themselves to bastardize a whole family. He had petitions to present in favour of the Motion of which the hon. member for Boston had given notice, and whenever that motion was brought forward, it should receive his warmest support. Every place appropriated to religious worship ought, in his opinion, to be exempted from the payment of rates and taxes of every description; for he held it to be unjust and impolitic to interpose even the slightest obstacle in the way of those who wished to worship God. A considerable portion of his constituents were Dissenters, who looked anxiously for the repeal of the laws which operated so unjustly towards them.

Mr. *Richard Potter*, as a Dissenter. begged to offer his most gracious thanks to the hon. and learned Gentleman for the manner in which he had expressed himself towards that important and influential body, the Dissenters. The Speech of the learned Gentleman would be received in the country with the greatest pleasure and satisfaction, and he was sure that the entire body of Dissenters would feel the greatest gratitude to him. The circumstance detailed respecting the admission of a gentleman of the Jewish persuasion, gave him the most heartfelt pleasure, and reflected the highest honour on the legal profession. He much regretted the opposition of the hon. member for Oldham to the emancipation of the Jews. At one time the hon. Gentleman entertained a strong prejudice against the Unitarians, to whom it was his happiness and privilege to belong; but the hon. Member's acquaintance with his colleague, who also was a Unitarian, had, he hoped, convinced him that Unitarians could be good masters, kind friends, and discharge the duties of good citizens.

Mr. *Andrew Johnstone* opposed the prayer of the petition, and hoped never to see the English Legislature other than a Christian one, which it would be the moment a Jew became a Member of that House.

Petitions laid on the Table.

HOUSE OF LORDS,

Friday, March 22, 1833.

MINUTES.] Petitions presented. By the Bishop of LONDON, by the Bishop of LICHFIELD, by the Earl of ROSSLYN, and by the Earl of ROSEBERY, from a great many Places, —for the Better Observance of the Sabbath.—By the Bishop of LONDON, from two Parishes of the Metropolis, for a Measure to Regulate the Hours of Employing Children in Factories.—By Earl CAWDOR, from Nairn; and by the Earl of RODEN, from Cumbernauld and other Places in Scotland,—against the Existing System of Church Patronage in Scotland.—By Earl CAWDOR, and by the Bishop of LICHFIELD, from several Places, against Negro Slavery.—By the Bishop of LICHFIELD, from a great many Places, against the Beer Act.—By the Earl of RODEN, from six Places in Ireland, against the proposed Measure of Church Reform (Ireland).

HOUSE OF COMMONS,

Friday, March 22, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. Alderman WOOD, an Account of the Quantity of Spirits imported, from Scotland and Ireland from October 1832, with the Amount of Duty paid thereon: also of the Quantity of Spirits on hand at different periods during the years 1832, and 1833: also an Account of the Duty paid in the United Kingdom on all sorts of Tobacco.

Bills. Read a first time:—Police Offices, London; and Payment of Debts.—Read a second time:—Public Revenue (Scotland); Small Debt Court (Scotland).—Read a third time:—Sugar Duties.

Petitions presented. By Mr. R. PALMER, from Wantage; by Mr. HARCOURT, from Chipping Norton, and Dukinfield; by Mr. J. E. STANLEY, Sir JOHN MAXWELL, Mr. G. J. HEATHCOTE, Mr. PEASE, and Lord WATERPARK, from several Places,—for the Abolition of Slavery.—By Mr. ROBERT PALMER, from Berkshire, Wantage, and other Places; by Mr. WILSON PATTEN, from Bury, and several other Places; by Lord WILLIAM LENNOX, from a Congregation at Kensington; by Lord VILLIERS, from Honiton; by Lord WATERPARK, from Norbury, and other Places; by Lord MOLYNEUX, from Southport; by Lord GRANVILLE SOMERSET, from Pontypool, and other Places; by Mr. PRYME, from Cambridge Town; by Mr. WILLIAM PETER, from Wolvey and Bodmin; and by Mr. HALLYBURTON, from Kirriemuir,—for the Better Observance of the Sabbath.—By Mr. HENRY GRATTAN, from Kildaly, and other Places in Ireland, for the Abolition of Tithes, the Amendment of the Grand Jury Laws, and the Repeal of the Union.—By Lord EASTNOR, from Reigate, for a Repeal of the Duty on Malt and Hops.—By Lord STORMONT, from Earsham, Norfolk, for a Repeal of the Duty on Taxed Carts.—By Mr. PEASE, from South Shields, for Relief to the Dissenters.—By Mr. PRYME, from Belfast and Newry, for the Substitution of a Solemn Affirmation in all Cases where an Oath is now required by Law.—By Sir ROBERT BATESON, from the Presbyterian Church at Ballymeny, against the New System of Education in Ireland.—By Mr. HALL, from Monmouth, and other Places; by Lord WILLIAM LENNOX, from King's Lynn; by Mr. HENRY GRATTAN, and by Mr. FITZGERALD, from many Places in Ireland,—against the Disturbances (Ireland) Bill.—By Mr. G. J. HEATHCOTE, from Kirton, against the Labourers' Employment Act.—By Mr. Serjeant SPANKIE, from St. Luke's, Middlesex; and by Mr. G. J. HEATHCOTE, from a District of Lincolnshire, against the Assessed Taxes.—By Sir JOHN MAXWELL, from Paisley, for a Reduction of the Stamp Duty on Indentures of Apprenticeship; and from the Handloom Weavers of Stonehouse, for a Board of Trade.—By Mr. J. E. STANLEY, from certain Soap Manufacturers, for a Repeal or Reduction of the Duty on Soap.—By Sir JOHN MAXWELL, from three Places in Scotland, and from Mr. ROBERT FERGUSON, from Dysart—against the present System of Church Patronage (Scotland).—By Mr. WILSON PATTEN, Mr. WILLIAM PETER, Mr. PEASE, and by Mr. ROBERT PALMER, from several Places, against the Beer Act.

OBSERVANCE OF THE SABBATH—PETITIONS.] Mr. *Harcourt* presented petitions for the better observance of the Sabbath from Henley-upon-Thames, and sixteen parishes in the southern districts of the county of Oxford. These petitions were signed by all the incumbents of the various parishes from which they had emanated, and afforded a contradiction to the somewhat uncharitable allegations of the hon. member for Oldham, that petitions on this subject originated from worldly, rather than religious, feelings. He entirely concurred in the desire of the petitioners, that the due observance of the Sabbath ought to be secured, and he did so, not only in a religious point of view, but to increase the moral and physical energies of the labouring classes of the community, who had a fair right to claim the protection of the Legislature from Sunday labour.

Mr. *Cobbett* said, he had that morning read a pamphlet published by those who wished for an alteration in the laws respecting the Sabbath; it was a sort of circular, which they sent about, having a draft of a petition attached to it, for the adoption of others. In this pamphlet they set forth that the non-observance of the Sabbath was injurious to their trade; and he wished the House to bear this in mind, for it would be found on examination of all the petitions, that at the bottom, the object was to keep the trade in their own hands, in order that they might get the most of it, and prevent others from selling, while they would rather stay at home, or enjoy themselves in any way they pleased. It was clear then that it was a mere matter of pounds, shillings, and pence, and not of the Gospel.

Mr. *Harcourt*, in reply to what had fallen from the hon. member for Oldham, said, that the individuals who had been charged by the hon. Member with getting up these petitions from worldly motives, were, for the most part, religious persons, who acted from the purest motives. Besides, the number of the petitions was a proof that there was generally a feeling in the public mind that the laws on this subject should be rendered more efficient: the petitions being more in number than on any other subject, except the abolition of slavery. It was his wish that the Sabbath could be established upon the ancient customs and usages of the country, for then the industrious classes would become morally and physically benefited by the change. Those classes had a fair claim to be protected in the right of enjoying the Sabbath by the legislature, without reference to the question as a matter of conscience. As to cessation from labour, a distinction should, of course, be made as to what were or were not works of necessity, but this he confessed was attended with considerable difficulty. He thought much more would be accomplished by the example of the upper classes, by refraining from putting into movement labour on the Sabbath-day, than by laws. And that if operatives were paid on some other day of the week than Saturday it would prevent much unnecessary shopping on the Sabbath.

Mr. *Cobbett* said, the hon. Member had remarked that something should be done to make the existing laws conformable to the ancient practice of observing the Sabbath in this country. Now, the fact was, that according to the ancient practice fairs and markets were held on the Sabbath day; the first law for religiously observing the Sabbath having been passed in the reign of Charles 2nd. So much for the ancient practice of the country, at which time, however, the people were quite as religious as at present. But the hon. Member seemed to impute to him a desire to detract from the motives of the petitioners in stirring on this subject, as though he had originated the idea that they were animated by worldly motives. Now, the fact was, that they had originated that idea themselves. They had, as he had already stated, published a pamphlet, which they circulated with a form of petition, in the very outset of which they declared that they sustained great injury in consequence of others not observing the Sabbath with so much rigidity as their consciences dictated to them to be necessary for their own observance of it. He did not mean to say, that a great many of the persons who had signed these several petitions were not sincere, that they were not religious; especially the petitioners who resided in Scotland, and of whom he had seen much. But what could the House do? That, after all, was the thing. Why they could do nothing that would be effectual. They could do nothing to compel people not to employ their servants on the Sabbath, to restrain farmers from employing their servants, or masters their apprentices; and as to talking about the example of the rich, of saying that ladies should not employ their footmen, their coachmen, or their grooms —it was all nonsense. The law, as it now stood, was quite good enough, and he was sure it could not be altered without doing mischief.

Mr. *Harcourt* had by no means expressed an opinion as to what was necessary to be done in the details of the Bill introduced into this House, but merely said, that if the penal system were to be kept up, it would be desirable to accommodate the penalties to the change in the value of money. He was far from having any puritanical wishes to curtail the recreation of the poor, who certainly, in former times, especially in the country, enjoyed much more recreation on the Sunday than they now did. He thought that much more might be done by example than by legislation.

Petition to lie on the Table.

FACTORIES COMMISSION.] Mr. *John Stanley* presented a Petition from the Master Manufacturers of Stockport, praying that further evidence might be taken before the Factories' Bill was passed, in order that they might have an opportunity of clearing their character of the imputations cast upon them in the *ex-parte* evidence brought forward by Mr. Sadler, and admitted by him to be intended only to establish his views. He concurred in the prayer of the petition, but could not concur in some of its statements. The Bill brought in some years ago by Sir John Hobhouse had not had a fair trial, for it was confined in its operation to a very small portion of the factories of this country. It had not been tried at all in the woollen, the silk, or the hemp factories, so that how far it would protect the children employed was not known. He considered that the petitioners had made out such a case as entitled them to have an inquiry either by a Committee or a

Commission. If he thought that the object of the petitioners was to stave off the introduction of a measure that was so necessary as the Bill for regulating factories, he would not lend himself to it; but in his opinion it would have quite the contrary effect.

Lord *Molyneux* had been requested to support the petition, which he did with much pleasure. He had the honour of representing one of the largest manufacturing districts; and from his own knowledge he could state, that the electors had been much wronged in the statements that had gone forth to the world on a previous occasion.

Mr. *Cutlar Fergusson* said, that his opinion upon this subject was not founded upon any notion of the tyranny of the manufacturers, but on the facts stated by the manufacturers themselves; one of which was, that the children were worked twelve and more hours a-day. He would take the evidence of the medical men, who were of opinion that not even adults could with safety to their health be worked for that period. Unless the manufacturers could alter that fact, he should feel justified in voting for the Bill.

Mr. *Phillip Howard* said, that the manufacturers in that part of the country with which he was connected (Carlisle) wished for the most rigid inquiry into the subject, feeling that a stigma had been cast upon them which had been highly injurious. They had been held up to the reproach of the whole nation, and they naturally felt a desire to clear that reproach away. The cotton manufacturers alone had been hitherto protected by the Legislature; but the same protection should extend to the persons engaged in other branches of manufacture. He was by no means opposed to the principle of the Bill; for he thought, without pre-supposing cruelty on the part of the manufacturers, that twelve or fourteen hours a day for children's labour were by far too much.

Mr. *Wilson Patten* put it to the House whether it would not have been far better that this discussion should have been postponed until the Motion came regularly before them. Many Members in the late Parliament had opposed even the appointment of a Committee, and no doubt the same reasons which then actuated them would induce them to oppose a Commission; but he thought that very few would be found to oppose the Bill.

Mr. *Wilbraham* begged to state, that there was not in the House a more ardent friend to any Bill which went to throw the protecting arm of the law round those children than himself, but he entreated the House to look at the palpable injustice which would be done to the masters if the Bill were passed without inquiry, and without listening to the complaints of those who were to be affected by it. He would not go into the evidence given before the Committee, but he would just remind the House, that out of the number of witnesses examined, there were ten from Scotland, two only from the whole county of Chester, and from Leeds and its neighbourhood forty-nine.

Sir *George Phillips* stated, that since this subject had been under discussion, he had obtained all the information upon it that he could. He must say, that he knew of factories which had existed under the present law for thirty or forty years; and from his own observation of those factories, he could state that there were no manufacturing or agricultural labourers in Lancashire, that were in a better situation than the people (male and female) who were employed in them.

Mr. *Wilks* rose to order. No less than nine Gentlemen had addressed the House upon the presentation of this petition; and he felt quite certain, that if such a course were to be adopted, a stop would be put altogether to the presentation of petitions.

Sir *George Phillips* had considered himself bound to say a few words, only one side of the question having been stated to the House. If the House did not wish that he should enter further into the subject, he would give way. An hon. Member had stated, that no evidence could be given that the manner in which children worked in factories was consistent with their health. Now, he would only refer that hon. Member to the factory of Mr. Feilden, where he would find evidence that the children engaged in that employment were in a high state of health and happiness.

Mr. *Cobbett* regretted the absence of his hon. colleague. He had himself no experience in the matter, no knowledge of it, and no reasons to offer to the House; all that he acted upon was authority. His hon. colleague, he believed, worked up no less than a hundredth part of the cotton that was imported into England, He employed nearly 2,000 persons, was a firm supporter of the Bill of the noble Lord (Lord Ashley), and a most stern opponent of every species of oppression. He would add, that his hon. colleague was averse from issuing the Commission proposed by the hon. member for Lancashire.

Petition laid on the Table.

EMANCIPATION OF THE JEWS.] Mr. *John Stanley* presented a Petition from the inhabitants of Staley Bridge, Lancaster, praying for a removal of the disabilities under which the Jews laboured. The petition was numerously signed, and he trusted that there would be no opposition to the measure about to be introduced on the subject. Indeed he was sure there would not, except from the hon. Member opposite (Mr. Cobbett). He did not see why the Jews should not be allowed the privileges which Christians possessed, as he could confidently say his Majesty had not in his dominions more loyal or industrious subjects.

Mr. *Cobbett* wished to ask the hon. Member who said of the Jews that they were one of the most industrious classes of his Majesty's subjects, whether he could produce a Jew who ever dug, who went to plough, or who ever made his own coat or his own shoes, or who did anything at all, except get all the money he could from the pockets of the people?

Mr. *John Stanley* said, that as the chief objection of the hon. member for Oldham to the Jews was, that they were blasphemers, and as the hon. Member in a former part of his life condemned Tom Paine as a blasphemer, and yet afterwards assisted at his apotheosis, by bringing over his bones to this country, he trusted yet to see him change his opinion with regard to the Jews.

Mr. *Cobbett:* After the personal attack which was just now made upon me by an hon. Gentleman opposite, who has accused me of having formerly represented Mr. Paine as a blasphemer, and of having latterly done something which would imply that I entertained a far different belief. Now, I never in the whole course of my life—

Mr. *Wilson Patten:* I rise to order, Sir, for I do not see how this applies to the present petition.

The *Speaker:* What the hon. member for Oldham is saying certainly does not apply to the present petition; but it has been the usual practice to afford any Member who has had a charge brought against him personally an opportunity of refuting it, to allow him to embrace the earliest one which offered.

Mr. *Cobbett:* Since the time I first spoke of Mr. Paine, I have written a hundred volumes, and have, perhaps, had occasion to mention his name three hundred times; but whenever I have mentioned his name, and spoken in commendation of his writings, I have never failed to make an exception with regard to his religious writings. As to the act I performed of bringing his remains to England, I can only say, that I held it to be my duty, and for the reason which I stated at the time. I did that because he had written books published by him both in France and England, clearly pointing out the pernicious consequences of paper money. Mr. Paine was my teacher with regard to paper money, and if his advice had been followed instead of being rejected, we should not have been in the state of difficulty in which we now find ourselves with respect to the currency.

Mr. *John Stanley* said, that after what had fallen from the hon. member for Oldham, he must be allowed to justify himself by reading the very words of the publication of the hon. Member himself. In one place in the hon. Member's writings he found the following words:—"In no part of the *Age of Reason* does Paine speak in terms of impious irreverence of God. He praises God, and calls upon his name, and that, too, in a strain of eloquence the equal of which I never heard in any sermon."—vol. 35, p. 725. In other places, however, the hon. member for Oldham said: The "*Age of Reason* is as despicable as its author. The wretch has all his life been employed in leading fools astray from their duty. His religion is of a piece with his politics, the one inculcates the right of revolting against Government, the other against God."—vol. 3, p. 389—"Though Thomas Paine was no Christian, he was no blasphemer. He offers no indignity to God himself."—vol. 35, p. 735—"Paine was a cruel, treacherous, and blaspheming ruffian. He was a traitor, and a traitor is the foulest fiend on earth."—vol. 4. He trusted therefore—

The *Speaker:* As the hon. Member has now answered the hon. member for Oldham, it would be quite out of order for him to proceed.

Petition to lie on the Table.

SUPPRESSION OF DISTURBANCES (IRELAND) BILL.] Lord *Althorp* moved the Order of the Day for the House to resolve into a Committee upon the Irish Disturbances' Bill.

House in Committee.

On the 24th Clause, prohibiting any fire, bonfire, smoke, &c. as a signal,

Mr. *O'Connell* said, he thought there could be no objection to leave out the smoke.

The *Solicitor General* said, that that might be as easily made the means of conveying a signal as anything else, and that the whole question would be as to the intent of the parties.

Mr. *O'Connell* proposed an Amendment, the object of which was, to confine the operation of the clause to the proclaimed districts. The purpose of most of those signals was to give notice of the approach of the tithe-collector; and if this clause was to be permitted to extend to quiet districts, the Bill would become much more of a tithe-collecting Bill than it was already.

Lord *Althorp* observed, that if it could be supposed that all the districts not actually proclaimed would be in a state of profound quiet, the Motion would be reasonable enough. But as that was not to be hoped for, and as it was good to be able to employ a preventive power, he thought the Motion ought not to be agreed to. The prohibition to make signals in quiet districts was no hardship, and it might have the effect of preventing them becoming so disturbed as to render it necessary for the Lord-lieutenant to proclaim them.

Mr. *Stanley* said, that the clause was not capable of being applied to facilitate the collection of tithe, but it was capable of preventing the assembling of tumultuous bodies of men, whose object was to obstruct by force and violence the collection of tithe; and in his opinion the clause ought to be operative in that way.

Mr. *O'Connell* said, that if the operation of the clause was confined to tumultuous meetings, he would withdraw his objection.

Mr. *Henry Grattan* also objected to the clause. He would leave out all the words after the word "making," in the second line, down to the word "signal," in the twelfth, and then the clause would be as follows:—"Be it enacted that from and after the passing of this Act no person shall make, aid, or assist in making, any signal, notice, or call, to or upon any person or persons whatever to assemble together;" and so on to the end of the clause. He thought it expedient to make this alteration in the clause, as it was notorious that on the 24th of June, and some other days, the peasantry in Wicklow, and in some other parts of Ireland, were in the habit, and had been in the habit, from time immemorial, of lighting bonfires on the different hills; and under the clause as it stood at present they would be compelled to prove that this their compliance with ancient custom was not giving an illegal signal under this Act.

The *Solicitor General* thought that the words to which the hon. Gentleman objected ought to stand part of the Bill, as it was incumbent on the prosecutor to show that these signal-fires were lighted knowingly and illegally.

Mr. *O'Connell* would not divide the House upon his Amendment.

Amendment withdrawn, and the clause agreed to.

On the 26th clause being read.

Mr. *Ingham* proposed the insertion, after the third line of the clause, of the following words:—"Excepting so far as it may concern the arrest or imprisonment of any person in custody in such district, and not brought to trial within three calendar months." He thought that otherwise the indemnity afforded by the Bill would be too comprehensive.

The *Solicitor General* contended, that unless the indemnity provided by this clause were given, it would be absurd to expect that either military or civil officers would act with the necessary vigour. This indemnity only applied to what was done in a proclaimed district in pursuance or execution of any power or authority conferred by the Act. Therefore, if any officer, either civil or military, did any thing illegal, and exercised his authority in any way which was not sanctioned by the Act, he would still be liable to an action in the civil, or to an indictment in the criminal, courts. It had been repeatedly said, in the course of this debate, that this Bill suspended the *Habeas Corpus* Act; but the fact was not so. The Bill merely said, that a person in custody under this

Act should not, for three months from the day of his arrest, be entitled to be removed by writ of *Habeas Corpus* to have his case examined by a Judge; but at the expiration of three months, the party so arrested could claim as a right to be brought to trial; or if he was not brought to trial, could claim as a right his being brought before a Judge by a writ of *Habeas Corpus.* He considered the clause, as it stood, to be indispensably necessary to the efficacy of the Bill, and he should strenuously oppose the Amendment.

Mr. *O'Connell* affirmed, that, by this clause, a military man, if in pursuance or execution of any power conferred by this Act, he committed the greatest outrage that ever was committed, was completely protected from all legal punishment. The clause provided, that all officers and soldiers acting in pursuance or execution of such power or authority should be responsible only to Courts-martial. Now, if an officer, after committing an enormous outrage in execution of the powers of this Act, should, before the knowledge of its perpetration reached the Horse-Guards, either sell or resign his commission, he could not be made responsible to a Court-martial, as he would no longer be in the army. He would then only be responsible to civil process; and to make that responsibility a nullity, this clause provided, that he should not be questioned in any civil or criminal court. He maintained that things might be done in pursuance of this Act, which were not in conformity with this Act, and that things might be done in execution of it which were not merely contrary to its letter, but which were also more outrageous than its spirit, outrageous as every body admitted its spirit to be. This clause, therefore, provided the most monstrous indemnity for outrage that ever was inserted in an Act of Parliament, or that ever was inflicted upon an oppressed and injured people. By this clause, not only were all magistrates and peace-officers protected from all process in the civil or criminal courts, but even if they grossly misconducted themselves, nobody was entitled to prosecute them save his Majesty's Attorney General. The Bill cleared magistrates and peace-officers from all responsibility to any body save that most innoxious officer to all persons who act under the authority of the Government, the King's Attorney General. The *Diabolus Regis* would be for them a protecting angel. He asked the Government to alter this clause in such a manner that no persons, save those who were acting *bona fide*, and not maliciously, under the authority of the Bill, should be indemnified against the legal consequences of their misconduct. But this alteration he knew the Committee would not make, and therefore he should vote in favour of the Amendment.

Mr. *Cutlar Fergusson* said, that it appeared to him that this clause was taken from an Act of Parliament, passed by the Irish Parliament during the Rebellion, and which Act granted indemnity to those who acted in pursuance of it, in order that vigorous measures might be executed more effectually. The indemnity proposed by the clause was more extensive than was required, or than was safe or even proper to grant. The clause was not well considered by those who had the framing of it, and he would certainly vote against it.

Mr. *Stanley* said, it could not be expected that soldiers, acting under the provisions of the Bill, would do their duty if they were not duly protected; and he conceived that this clause did no more than afford adequate protection. He acknowledged that it was unconstitutional, but so was the whole Bill, and yet it was rendered necessary by the disturbances in Ireland, which disturbances, justifying the passing of such a measure, also justified the present clause.

The *Solicitor General* could assure the Committee, that the clause under consideration would not allow crimes committed by soldiers acting under the Act to go unpunished. The hon. and learned member for Dublin had said, that it deprived the people of all protection against the outrages of the soldiery. That he most unequivocally denied. If any such outrages were committed as those supposed by the hon. Member, that clause would not protect the guilty party. It would be necessary for him to show that he was acting in the discharge of his duty. It would not do to say: "I was a patrol at the time;" he must prove that he was *bona fide* carrying the law into execution. If, for instance, a soldier were to insult a woman under pretence of searching for arms, he would certainly be punishable under the Act.

Mr. *Cutlar Fergusson* thought, that it would be perfectly impossible, as the Bill stood, to punish a soldier so acting.

Mr. *Sheil* said, that, in giving such protection to soldiers, they were going far beyond the old Insurrection Act, and he could see no cause why they should do so. They could not plead inconvenience; for it was well known that there were only two or three actions brought against soldiers acting under the old Insurrection Act. Could the Government show, what alone could justify the additional protection then asked, that the provisions of the old Insurrection Act were not adequate to protect the soldiers? He denied it; for experience showed, that the soldiers were fully protected under that Act. The learned Solicitor might be right in his position of law; but he said, with the greatest possible deference and respect, that this was an Act, of which English lawyers had had no experience. It had been clearly shown by his hon. and learned friend, the member for Dublin, and his hon. and learned friend the member for Monaghan, men of high standing and reputation at the Irish bar, what the effect of this Act would be. His hon. and learned friend, the member for Dublin, proposed that no man who acted in the *bona fide* discharge of his duty should have a verdict given against him; but how was that to be tried? Not by a Jury? Why, should an officer, who was specially directed by the terms of a proclamation to enforce the utmost rigour of the law, for the suppression of seditious meetings, not be cited before an ordinary tribunal. He was willing to protect the military; give them an adequate protection, but do not take away from the people all protection. Give the defendant treble costs in case of an improper or uncalled for prosecution and if he have acted in the *bona fide* discharge of his duty, though in mistake, let the Judge have the power of qualifying the verdict. Was not that sufficient? If it were a probable case, let the Jury return a verdict accordingly. He did not wish that the soldiers should be put in a situation of peril; but he did not wish to put them in such a situation as would deprive the people of all protection from the outrages of the soldiers.

Mr. *Robert Grant* said, it appeared to him that there were two classes of delinquents who were confounded by the hon. and learned member for Dublin. There were, in the first place, such as transgressed unwillingly—such as contravened the law, either by acting negligently, or by over zeal, but who nevertheless acted *bona fide*. It was to such persons that the protection of the clause then before them was directed. The other class, however—such as from love of plunder, or any other cause, committed outrages, were not afforded any protection by it. He thought it right that the Committee should observe the distinction, in order to understand the operation of the clause thoroughly. He had looked into the Bill to see whether all the offences created under it could be brought under the cognizance of a Court-martial, and he felt satisfied that they could. A soldier committing any such offences as had been supposed by the hon. and learned Member, would not only be punishable under that Act, but also under the Mutiny Act and the Articles of War, so that his crime would be doubly cognizant.

Mr. *Henry Grattan* thought that the protection granted to the soldiers by that clause, ought only to be granted in a country which was in a state of revolution. If Ministers meant to say, that Ireland was in a state of insurrection, or bordering on insurrection, they ought to say so boldly, but they ought not to come down to that House and endeavour to pass a clause which insinuated that the country was in a state of insurrection, and would be justifiable only when it was in such a state. He had many cases in his possession, of the most horrible acts committed by officers while on Courts-martial during the time when Ireland was formerly under Martial-law, in every one of which the delinquents escaped with impunity. He therefore thought that the present clause ought not to be acceded to.

Mr. *O'Dwyer* said, it had always been the practice of the Government of Ireland to defend the acts of their servants, however culpable they might be. As an instance of this assertion he would state a case. Some time since, in the south of Ireland, a man was tried for murder; a Magistrate who was anxious to procure a conviction actually kidnapped the witnesses for the defence, and kept them out of the way until the trial was over. Their absence was perhaps not the cause of the prisoner being convicted, but capitally convicted he was. An action was afterwards brought against that Magistrate when Mr. Barrington, the Crown solicitor, about whom so much had been said during these debates, was instructed by the Government to defend that Magistrate; the law officers of the Crown were specially retained to defend him, and the unfortunate individuals who originated the proceeding had to pay all their expenses. The Magistrate he presumed had his expenses paid out of that ample fund which the right hon. Secretary had at his control, but of which he hoped the House would at no distant period, require an accurate account. There was nothing in the articles of war to prevent a soldier from breaking into and searching a peasant's house on the most flimsy pretence. If it were not the intention to take away from the subject every protection, and to hand him over to a Judge in a red coat, he besought the Committee to consider that the poor peasant was entitled to protection. When he looked to the provisions of this clause, however, he could not fail to conclude, that the object was, to give an indemnity of the most extensive and the most effectual kind to every person who committed an offence against the people. That conclusion was confirmed when he looked to the clause in the Bill giving to every Magistrate and police-officer, and, in short, every other person, indemnity, if there seemed to be probable cause for what he might do Why, what was the meaning of "probable cause?" He defied any man, not well versed in the jargon of courts, to understand the meaning and intention of the Bill.

Colonel *Williams* opposed the clause, which he confidently believed would act as a protection for the most atrocious crimes. He himself remembered with what perfect impunity an innocent man had been shot by a soldier at Liverpool, during the reign of terror in England. A party of soldiers were conducting a deserter through the streets; he ran away, the officer ordered one of his party to fire, the deserter escaped but a bystander was killed. He had made every exertion to bring the case before the public, and to have this atrocity properly punished, but in vain.

Mr. *William Roche:* My recollection of the proceedings of military tribunals for civil purposes, authorizes and impels me to remark that if this Court-martial clause is unfortunately to be retained, the House cannot be too particular in diminishing the evil, in guarding it, if that be possible from abuse and from the tyrannical tendency of such tribunals, when taken out of their natural sphere of jurisdiction. Sir, I can remember the proceedings of some of these Courts-martial in the year 1798, in Ireland. I then recollect to have seen three unfortunate men undergoing the extreme sentence of the law in the city of Limerick (which I have the honour to represent), and a similar number suffering flagellation, within the view and hearing of the dying individuals. That men guilty of rebellion should forfeit their lives, provided their guilt be fairly established, is far from my intention to impugn, but that their sufferings should be wantonly and cruelly embittered, that their last aspirations to the Deity, before whose awful and unerring tribunal they were on the point of appearing, should be thus disturbed and distracted by the shrieks of other sufferers, was such a needless, gratuitous, and ferocious act of cruelty, as could alone be perpetrated by men, who under the demoralising influence of arbitrary power, had become lost to every sense of humanity, and enamoured of cruelty for cruelty's sake. Further, Sir, let any Member of this House turn to the pages of "Plowden's History of Ireland after the Union," and he will find at the close of the first volume, a painfully interesting narrative of the trial of a Mr. Francis Arthur, of Limerick, an opulent and respectable gentleman, and as the narrative demonstrates, a perfectly innocent man; a narrative containing such a hideous mass of injustice and tyranny, of ignorance and rapacity, as to satisfy any impartial mind that military tribunals are utterly unfit for civil purposes, and have a natural tendency to degenerate into injustice and tyranny. This gentleman, Sir, was accused by a suborned and unfortunate man named Maum (unfortunate I only call him, because he afterwards did all that lay in his power to expiate the foul offence) of being concerned in the rebellion, and of an intimacy with Lord Edward Fitzgerald. Maum, Sir, was urged on by men, though of higher rank yet of more abominable character than himself, and at length induced by the prospect of pardon (for he was under sentence of transportation for rebellious practices), to bring this false and foul charge against Mr. Arthur, of which he was convicted by the Court-martial in opposition to every principle of the rules of evidence and the claims of justice, escaping with his life principally because the rapacity of the court or of the influential part of it preponderated over their injustice and cruelty—a court composed, too, of some military men of high rank, and assisted by a Judge Advocate. Mr. Arthur's sentence was commuted by the Government to a mere residence in England, very much arising from the representations and influence of my father, whose sense of Mr. Arthur's innocence and unjust condemnation induced him to interpose; and ultimately, he (Mr. Arthur) was allowed to return to and stay in his native city. Sir, with these recollections and impressions I cannot too strongly express my condemnation of the clause altogether, and my hope that if retained, it will be fenced round with every possible protection against abuse and injustice.

The Amendment negatived.

Mr. *Lynch* moved that the words "That all officers and soldiers, acting in pursuance of such power and authority, shall be responsible only to Courts-martial" be struck out. The House had been repeatedly told that these officers were not to act as a regular Court-martial, but were to administer justice according to the principles of the common law; this tribunal ought, therefore, to be amenable for their acts to the common law.

Amendment negatived.

Mr. *Pryme* protested against that portion of the clause which enacted that no person should institute a prosecution against any of the persons acting under the authority of the Act, except by the permission of the Attorney General. This prohibition he thought monstrous. There were already sufficient obstacles in the way of persons wishing to prosecute without this restriction; and he considered that the military had sufficient protection granted them in other clauses of the Bill. If this clause were allowed, officers and soldiers might riot in violence with impunity. He should therefore move, that this part of the clause be struck out.

The *Solicitor General* thought the Amendment unnecessary; the Attorney-General would not refuse his warrant when the cause of justice required it. Even supposing the prosecution to be commenced, the Attorney General might defeat it by entering a *noli prosequi*, which he always had the power of doing.

Mr. *Pryme* was well acquainted with the existence of such a prohibitory power in the Attorney General, but he seldom used it unless in some extraordinary cases. He wished that military officers should be amenable to a civil tribunal for offences committed under this Act, and surely the observation of his learned friend was not meant to apply to civil suits.

Mr. *O'Connell* thought the argument of the Solicitor General convincing, but it was convincing against his own view. If the Attorney General could, under the directions of the Crown, stop any trial, why grant this additional power? It was at least unnecessary, and therefore he would support the Amendment.

Amendment negatived.

Mr. *O'Connell* asked whether the clause had undergone any amendments?

The Chairman replied in the negative.

Mr. *O'Connell* rose to oppose it altogether, as giving a general indemnity for any act whatever, which might be done in pursuance, or in execution of the powers conferred by this Bill, and leaving no power to have it questioned in any Court of Justice in the kingdom. He took it to be clear law, according to this clause, that if a party was acting under this Bill, anything he might do was indemnified, no matter how atrocious. He might break open houses, or commit any violence under the Act, and with perfect impunity. The Courts of Justice in Ireland carried their protection of officers acting under an Act of Parliament to such extraordinary lengths, that any one committing any act whatever had only to prove that he was at the time in the execution of his duty under an Act of Parliament, and he would have no necessity for such a clause as this to protect him. The words of the Act were more comprehensive than had ever been introduced into an Act of Parliament before. Anything might be done—any property destroyed, and the party doing such injury would be free from responsibility to any civil or criminal tribunal other than a Court-martial. This clause would give an indemnity to soldiers who might think proper to shoot hundreds of the King's subjects. He would at once throw overboard the assertion of the right hon. Secretary for Ireland, that this clause was not intended to indemnify all soldiers who might kill people at the order of their officers—but the Act went further, for it indemnified the officers also. A man might have his house burnt and lose the whole of his property by the command of an officer, and yet he would have no remedy by action or otherwise, for he could not get damages at the hands of a Court-martial, and damages were the only things that could recompense him for his loss. By this clause all pecuniary remuneration was wholly excluded. It was the most preposterous clause he had ever heard of, and he was astonished how it could have been contemplated in a civilised country. He would put a case of a general officer choosing to break into a House, burn it, and destroy everything. He would be liable to be tried by Court-martial, but then no damages could be given, and therefore the sufferer could have no redress. But he would suppose the case of an officer committing an outrage, and then quitting the army. The Court-martial could take cognizance of him only as long as he was a soldier, and in that case he would place himself beyond the only jurisdiction whatever that could punish him for his conduct. This clause went beyond any Act of Parliament that ever yet had passed that House, and left no redress whatever, except what could be obtained from Courts-martial, and gave no compulsory process by which it could be got even from that Court. He repeated, that anything which might be done under this Act, was already amply indemnified, and the only effect of this clause would be to give protection to all outrages that might be committed beyond the sanction which it afforded.

Mr. *Robert Grant* said, he should not refer to the principle, "whether the state of Ireland was such as to justify the measure," but would content himself with defending the clause. A jurisdiction would rest with the Judge in the first instance, to decide whether there was probable good reason for any act committed by persons employed in carrying the measure into effect, or whether such parties had abused the powers intrusted to them. If the Judge had a doubt on the subject, he would send the case to a Jury to decide whether the individuals had acted *bona fide* or *mala fide*. If it should appear that they had acted in the latter way, they would not escape punishment—there was no analogy for assuming that they would; but if, on the contrary, an error had been committed in the *bona fide* discharge of their duty under the Act, was it fit that the error should subject individuals to punishment, and to the jurisdiction of a tribunal with which they were least acquainted? But the hon. and learned Member asked what was to be done if a party retired from the army after committing an offence? Such a case, it would be admitted, was likely to be exceedingly rare, but it was not impossible. Assuming such a case to occur, he declared that it was impossible for a man to put on a character for the purpose of abusing the power it conferred, and then, after committing a malignant act of injustice, to divest himself of that character and escape. Any one attempting to do so would find himself worse than mistaken, he would merely aggravate the punishment of his offence by such inconceivable baseness. Did the articles of war supply means of punishment? He had no doubt they did. He admitted that there was a great deal of vagueness in military law; but, be that as it might, it had always been found sufficient to repress offences committed by the military; and he took it upon himself to say, that there was no offence that could possibly be committed by abusing the provisions of the Act which could not be punished under the articles of war and the Mutiny Act. This clause would protect the military, while in the *bona fide* discharge of their duty; it would protect them against trial in a civil court, but would send them to a tribunal where they would not escape the punishment of excesses committed in the execution of a lawful mission.

Mr. *O'Dwyer* was of opinion, that the hon. and learned Gentleman had not answered one of the objections of his hon. and learned friend the member for Dublin.

Mr. *Sheil* said, that the Insurrection Act gave complete protection to Magistrates so that they could not be prosecuted for anything done under it. And this Bill went still further. No prosecution could be instituted against Magistrates for offences committed under the Bill, unless with the sanction of the Attorney General. There could then be no action at all brought against the Magistrates. Was that intended, he desired to know? He knew a case of a Magistrate who had quarrelled with a gentleman, and who arrested him in the middle of the street of a town, surrounded by people, under the Insurrection Act. The arrest was made after night-fall, and the gentleman was put into gaol. If such a case were to occur under this Bill, the gentleman could get no redress at all. Was that meant? Was it intended to exonerate Magistrates, whatever they might do? They could not be prosecuted for damages, because the Bill specified that no offences committed under it should be questioned except by Courts-martial. The Magistrates could not be prosecuted in the Court of King's Bench. No pecuniary compensation could be obtained—none could be given by a Court-martial—no Courts of Law could take cognizance of the Magistrates' offences. How could this be remedied. By the addition of two words, "*bona fide*." The Solicitor General said, that injuries committed *bona fide*, would not be punished; but unless they were so committed they would be liable to punishment. Make that clear in the face of the Bill—introduce the words, that nothing which is done *bona fide* under this Bill shall be questioned but by Courts-martial. Make it clear that the Act is not to support oppression. Let it not be employed to crush the liberties of the subject one bit more than there is need. When flagitious violations of duty take place let the Act not be so drawn up as to screen them.

The *Solicitor General* thought the words unnecessary. As the Bill was drawn, actions such as that described by the hon. and learned Gentleman might be prosecuted. An action would lie. If persons in the exercise of authority acted wantonly, they would have no protection from the law, and they would deserve none. No words were wanted to make the actions which were done *mala fide* punishable, and it was only the actions which were done *bona fide* which would receive indemnity. Not only individuals who so acted might be brought before Courts-martial, but they might, if the Attorney General pleased, be brought before a Civil Court.

Mr. *Henry Grattan* would oppose this clause, asthe most mischievous, the most dangerous, clause of the whole Bill. It put the whole people of Ireland out of the protection of the law, and gave them no redress whatever in case of oppression or wrong. It ought to be expunged. It was impossible that the people of Ireland should ever forgive England if this clause were passed. It would sow the seeds of separation, and they would grow up to a frightful harvest. It was establishing the government of the sword; and if the Union were to be made the means of establishing such a government, Ireland would be lost to England for ever, England would not find one man in Ireland to lift up his voice or his hand in her favour. So help him God! he would not stand by England, unless he was to have the Constitution. He would not go to war for France against England, but he would go to war against England for the British Constitution. He had been taught that lesson by the resistance to the tyranny of Charles and James, and he would teach it his children. He would disinherit them if they did not obey it [*laughter*]. Gentlemen might laugh; it was easy for them to laugh, who knew nothing about tyranny; but he did know something of it—he had seen its practices—he had seen men turned out of their houses, and their houses burnt down—and he knew what tyranny was. They might attempt to silence and subjugate the people of Ireland, but in doing so they only hastened the Repeal of the Union. They could not prevent them from feeling—

> Hæret lateri lethalis arundo.

This Clause applied only to a country in a state of war, *flagranti bello*. He denied that Ireland was so, and therefore he should give the clause his most determined opposition.

The Committee divided on the question that the Clause stand part of the Bill: Ayes 141; Noes 67—Majority 74.

Clause to stand part of the Bill.

List of the NOES.

ENGLAND.

Aglionby Hon. A.
Attwood, T.
Briggs. R.
Cornish J.
Dawson, A. E.
Ewart, W.
Faithfull, G.
Gisborne, T.
Gully, J.
Hawkins, J. H.
Hume, J.
Hutt, W.
Lister, C.
Parrott, J.
Philips, M.
Potter, T.
Pryme, G.
Romilly, J.
Romilly, E.
Strutt, E.
Thicknesse, R.
Tynte, C.
Wilks, J.
Williams, Colonel
Wood, Alderman
Young, G. F.

SCOTLAND.

Gillon, W. D.
Kinloch, G.
Oswald, J.
Oswald, R.
Wallace, R.

IRELAND.

Baldwin, Dr. H.
Barron, W.
Butler, Hon. P.
Chapman, M. L.
Evans, G.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Fitzsimon, N.
French, F.
Galway, J. M.
Grattan, H.
Grattan, J.
Lalor, P.

Lambert, H.
Lynch, A. H.
Maclaughlin, L.
Macnamara, Major
Martin, J.
Nagle, Sir R.
O'Connell, Maurice
O'Connell, D.
O'Connell, C.
O'Connell, J.
O'Connell, Morgan
O'Connor, F.
O'Dwyer, A. C.
Perrin, L.
Roche, W.
Roche, D.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Sullivan, R.
Talbot, I. H.
Vigors, N. A.
Walker, C. A.

TELLERS.
Grattan, H.

Paired of against the Clause.

Tynte, K.
Scholefield, J.
James, W.

Clause 30 read.

Mr. *Ruthven* declared that he should not be doing justice to the country if he did not resist such a measure as depriving Ireland of the benefit of the *Habeas Corpus*, to the last extremity. If he were to be the only man who went out, he would divide against it.

The Committee again divided on the question, that Clause 30 stand part of the Bill: Ayes 156; Noes 64—Majority 92.

[Nearly the same Members who voted against the 26th Clause voted against the 30th Clause, and the following Members in addition:—

Humphery, J.
Hall, B.
Turner, W.
Clay, W.
White, L.

Mr. Pryme and Mr. G. F. Young, who voted against the 26th clause, voted for the 30th clause].

Clauses 31 and 32 were then agreed to.

Clause 33 read.

Mr. O'Dwyer moved, as an Amendment, that the words giving power to Magistrates of counties of cities, and counties of towns, to act under this clause should be struck out. The character of these Magistrates was notoriously such as to render their exception necessary. They were elected by, and consequently were under the influence of their respective corporations.

Mr. *O'Connell* supported the Amendment. He had no objection to Magistrates of counties acting in adjoining counties, but he had a strong objection to any Magistrates acting, who were elected in the manner of those corporate Magistrates. But a very short time before the right hon. Secretary came into office, one of these Magistrates was so notoriously corrupt, that he had his regular prices for the favourable exercise of his judicial functions. For taking bail for capital felonies he charged twenty guineas, for common felonies he charged 20*l.* and so on in proportion.

Mr. *Stanley* said, that without giving full credit to the charges brought against these Magistrates, he saw quite sufficient reason for yielding to this Amendment, in the fact that they were appointed by Corporations, and not by the Government. The Government having all the responsibility of the execution of this Act, their subordinate officers should at least be appointed by themselves. He had, therefore, no objections to strike out the words.

The Clause with the Amendment agreed to.

All the Clauses of the Bill having been gone through, Mr. Stanley brought up several additional Clauses which were agreed to, and the Report was brought up.

SUPPLY—BRITISH MUSEUM.] On the Motion of Mr. Baring, the House resolved itself into a Committee of Supply. The hon. Member moved a vote of 16,844*l.* to defray the expenses of the British Museum up to Christmas, 1833.

Mr. *Hawes* suggested, that an improvement should be made in the catalogue of the manuscripts in the British Museum. He wished, that the manuscripts should be arranged alphabetically, and that there should likewise be through the catalogue a facility of inquiring into the subjects of the manuscripts. He also complained of the want of foreign books in the library, and expressed a hope that the arrangements of exchanges between the privileged libraries of France and England might be carried into effect, and that those arrangements should have a retrospective effect. That was to say, that standard works published in either country, before the completion of the arrangement should be exchanged.

Mr. *Baring* observed, that the attention of the trustees had been directed to these matters, and no doubt some means would be adopted to supply the defects complained of.

Mr. *Hume* thought it desirable, that the Museum should be open for six days in the week, instead of three. If that object could not be accomplished with the present number of officers, they ought to have relays of officers. He thought it would be proper to appoint a Committee to inquire into the whole subject of the Museum. It was a most extraordinary circumstance, that during two months of the year—and two months, precisely those in which most strangers came to London—the British Museum was shut to the public.

Lord *Althorp* was surprised that it should be stated, that the months of August and September were those in which most strangers arrived in town.

Mr. *Hume* observed, that the town was not frequented during these months by gentlemen who were in the habit of going out shooting. A Committee was desirable; for it was of importance, considering that the British Museum was supported by the public money, that the greatest possible accommodation should be afforded to the public.

Mr. *Emerson Tennant* said, that the British Museum afforded every facility of which such an institution was capable, as well to students as to casual visitors, and he did not think that further accommodation could be given consistently with the purposes for which it was established.

Lord *Mahon* bore his testimony to the proper management of the institution, having derived great advantages from it. It would bear comparison with any similar Institution on the Continent, and though perhaps not open for so many days as some of them, it was open for many more hours.

Vote agreed to, and the House resumed.

BOROUGH OF STAFFORD—INDEMNITY.] Mr. Ellice moved the Order of the Day for a Committee on the Bill, and that the Speaker do leave the Chair.

Mr. *Baring* begged to call the attention of the House to the unusual circumstances under which this Bill was brought forward. There was no ground for going out of the ordinary course of proceeding in this case. All that the House knew was, that there was an ordinary election petition against the sitting member for Stafford, which petition contained *inter alia*, the usual allegation of bribery. If a Committee above stairs had decided that bribery had been so extensively practised that it was necessary for that House to take notice of it, and to open the borough, or adopt any other proceeding which that Committee might recommend, that would have been the regular and proper mode of proceeding. But in this case when no Committee had made a report, the hon. Member came down with the whole weight of the Government to which he belonged, and called upon them to violate their usual course of proceeding, and suspend for six weeks the Committee on this election, for the purpose of continuing in the House a Gentleman who, by his own confession, could prove that 524 out of 526 persons had been guilty of gross bribery and corruption. What instance was there of any similar proceedings? What other case could be adduced of the House having consented to such a Bill, and that, too, on the mere assertion of an individual? He greatly disapproved of this interference with the established regulations for examining election petitions, and it ought never to be had recourse to, unless it was found that there was no chance of obtaining satisfactory evidence of corrupt practices without it. This Bill would enable the hon. member for Stafford to sit in that House, after a confession that his seat had been obtained by bribery, and he would be relieved from every possible disability that might otherwise affect him. The very first clause of the Bill said, that he should be "discharged from all disabilities and incapacities whatever."

Mr. *Ellice* said, that two persons had stated in the Committee, that they could prove that 524 out of 526 persons had received bribes, and that they would do so if they were indemnified, and he in the name of that Committee, had promised them such a security.

Mr. *Baring* continued: Why did not the hon. Member then confine his indemnity to those persons who were to give this evidence? If they freed the hon. member for the borough from all disabilities, as the Bill stated, he did not see what could hinder him from sitting for Stafford. Or was he to go back and be returned again—thus making the enormity of the offence his protection? This was a question of general principle, and they should be very careful not to establish a precedent which might produce very mischievous results. He moved, that the Bill be committed that day six months.

Mr. *Ellice* said, the hon. Member's objections were of two kinds. First, that it was establishing a bad principle, because there had been no previous inquiry and report; and next, because it indemnified the candidates. The hon. Member found fault with him, because he proposed to omit the usual words, "not having been a candidate at the late election." Now, his hon. friend would have an opportunity of moving the insertion of these words, as in the Bills relative to East Retford and Grampound. One ground for the course he had pursued was, that it was the grossest hypocrisy to select particular persons in such cases. It was well known, that up to the present time scarcely a Member had sat for this borough without having paid for his seat. He feared, that if the House waited for the Report of a Special Committee, they might wait till it was too late to make any inquiry. In the observations which his hon. friend had made on him, his hon. friend had spoken of him as connected with the Government, and as introducing this Bill in consequence of that connexion. He assured the House, that he was no more connected with the Government than his hon. friend was. He had been also unjustly accused of merely wishing by this means to keep the sitting Members in the House. He was not influenced by any such motive. All he desired was, that justice should be done. He thought, that on this question the House owed a duty to the public, and that the first Reformed House of Parliament was bound to investigate matters of this sort, if it wished to give satisfaction to the public. This Bill was not a perfect novelty. There was one recent instance of such a Bill having gone up from this House, and several instances of bills of this kind having been brought down from that House into the House of Commons. One particular instance was that of the Melville case, where a Bill of Indemnity was passed with regard to Mr. Trotter. He thought it of importance, that the Bill should be passed before the Election Committee sat to try the question of the return for Stafford. That Committee was appointed for the 16th of April, and it was for that reason that he now pressed the Bill through the House.

Lord *Sandon* thought, that the candidates, if they were the persons who had been guilty of the bribery, ought not to be included in this Bill of Indemnity.

Mr. *Ellice* said, that his object was, not to punish any party whatever, but to obtain a full disclosure of the facts, in order that the House might afterwards deal with the matter as a public abuse.

Mr. *Littleton* would certainly vote for referring this Bill to a Committee; but he must say, that he looked upon it with some degree of distrust, since it extended the proposed indemnity to all persons whatever. At the same time he thought, that if some measure of this kind were not passed, public justice would be eluded. He thought, that the House should go into a Committee, where the Bill might be put into a less objectionable shape.

Mr. *Shaw* thought, that a Bill of this kind ought not to be introduced, except it was founded upon the Report of an Election Committee, or otherwise the House would be adopting the bad precedent of acting in such matters on the suggestion of an individual. The hon. Member ought first of all to move for a Select Committee to inquire into the subject.

Sir *John Wrottesley* agreed with the hon. and learned Gentleman, who had just addressed them. He thought an Election Committee would be competent to meet the case, and with such a Committee it should be left. He wished the present Motion to be withdrawn, and the Bill not to be committed before the 20th of April, in order that the matter might previously be taken into consideration by the Election Committee, which would be appointed on the 16th. If, when the Election Committee was appointed, the sitting Member withdrew from opposing the petition, there would be ground for supposing that bribery had taken place, and then he should agree with any one who proposed a proceeding of the kind. If the hon. member for Essex would allow him he would substitute his Amendment for that proposed by the hon. Member, and would move, that this Bill be committed on the 22nd of April.

Sir *Robert Inglis* looked at the Bill with great distrust, and was disposed to concur with the Amendment of the hon. member for Essex.

Mr. Baring withdrew his Amendment in favour of that proposed by Sir John Wrottesley.

Mr. *Robert Gordon* said, that this Amendment would leave them in a great difficulty, and ought not to be adopted, for, according to this, if there should be no Election Committee appointed, then there would be no Bill. The House ought not thus to put themselves at the mercy of the persons concerned in this election, but ought to set their faces against bribery wherever they found it. A Reformed House of Commons would disgrace itself if it submitted to let such bribery escape as that which the right hon. member for Coventry was prepared to prove had been practised at Stafford.

Sir *Thomas Freemantle* objected to proceeding now, as the course recommended seemed to him one of a most anomalous nature. If they did then go into a Committee, he should certainly vote to except the sitting Member from the benefit of the Bill.

Mr. *Ellice* could not agree to the Amendment of the hon. Baronet; and if it were carried, he must leave the whole matter under his management.

Mr. *Warburton* thought it was impossible for any unbiassed man to have heard the statement of the right hon. member for Coventry without being convinced, that the House ought now to go into a Committee on the Bill.

Mr. *Foster* said, that it was an unjust principle, that certain parties should obtain indemnity for their individual crimes at the expense of the borough. The respectable part of the constituency of Stafford would consider it extremely hard to lose their franchise by the misconduct of some of their unworthy brethren.

The House divided on the original Motion: Ayes 84; Noes 16—Majority 68.

The Bill considered in Committee; verbal Amendments agreed to.

The House resumed.

List of the NOES.

Bankes, W. J.
Chetwynd, W. F.
Eastnor, Lord
Foster, C. S.
Freemantle, Sir T.
Gordon, Hon. Capt.
Handley, H.
Hay, Sir J.
Inglis, Sir R. H.
Nicholl, J.
Pigott, R.
Ross, C.
Sandon, Lord
Shaw, F.
Stormont, Lord
Welby, G. E.

TELLERS.

Baring, A.
Wrottesley, Sir J.

HOUSE OF LORDS,

Monday, March 25, 1833.

MINUTES.] Papers ordered. On the Motion of Earl FITZWILLIAM, an Account of the Number of Baronies contained in each of the Dioceses of Ireland.

Petitions presented. By Lord KING, from several Places in Ireland, for the Abolition of Tithes and Church Cess; from Cumnock, for a Separation between Church and State.—By the Duke of NEWCASTLE, the Earls of ROSEBERY, GOSFORD, and FITZWILLIAM, and by the Bishop of LINCOLN, from numerous Places,—for the Better Observance of the Sabbath.—By the Duke of CLEVELAND, and the Earls of RODEN and GOSPORT, from Walsingham and many Places in Scotland and Ireland, against Slavery.—By the Earl of RODEN, from several Places in Ireland, against the proposed Plan of Church Reform (Ireland); and from Caithness, against the Existing System of Church Patronage in Scotland.—By the Earl of ROSSLYN, from Cupar; and by Lord WYNFORD, from a Congregation at Glasgow,—in favour of the Factories Bill.

CHURCH REFORM (IRELAND).] The Earl of *Roden* had to present a Petition to which he wished to call the particular attention of the House. It was from Elphin, in the county of Roscommon, praying their Lordships not to deprive them of their Bishop. It was signed by both Catholics and Protestants. It stated the great advantages the town derived from the residence of their Bishop among them, especially as in that part of the country there were hardly any resident gentlemen. The present Bishop commanded the respect and love of all that knew him, and there was no one who had conferred such great benefits upon that part of the country. Former Bishops also were still remembered with gratitude and affection. The present Archbishop of Tuam, who had been at Elphin, was a most estimable man, and his conduct as a Magistrate, while he was Bishop of this diocese, gained him the respect and regard of every person within its limits. He must also be permitted, in naming those who had done themselves honour when presiding over this see, to go back to the days of Bishop Law, an individual who was beloved by everybody who knew him, and who exerted himself so laudably, during the Rebellion, in putting down treason, and in restoring peace and order to Ireland. There was a notorious rebel of that day, known by the title of "General Plunkett," who was taken prisoner in the neighbourhood of Elphin; and some difficulty arising as to the mode of conveying him to Dublin, the Bishop ordered out his own carriage, he put the General into it, got in himself, and drove off to Dublin. On his arrival in the Castle Yard, the Bishop's friends were astonished to see his fellow-traveller with him in regimentals, and they asked him whom he had got with him? His answer was, "I have caught the queen bee;" and he handed over his prisoner. Such was the conduct of Bishop Law on that memorable occasion His opinion on the subject of the petition was the same as that expressed by the petitioners, for he believed that the consolidation of some of these bishopricks, and the extinction of others, if persevered in, would be productive of evils which no future Government could ever remedy. He particularly condemned that part of the proposed measure which went to reduce ten bishopricks, and to take away the funds of those dioceses, in order, he was afraid, to transfer them to those who were anxious to support treason and rebellion in every part of Ireland. From the late events, opinions prevailed not only in Ireland, but in England and Scotland, that the Government meant to give the plunder of the Church to the Catholics.

The people universally regretted such a project, and they regretted the steps which the present Government had taken respecting education in Ireland, which they looked upon as having a tendency to enable Catholicism to triumph over Protestantism in Ireland.

Petition laid on the Table.

HOUSE OF COMMONS,

Monday, March 25, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. SULLIVAN, the Expense of the Carlow Lunatic District Asylum.—On the Motion of Sir ROBERT INGLIS, the Sums received from the French Government, in liquidation of British Claims, which have been advanced by the Treasury to the Woods and Forests.—On the Motion of Lord GEORGE BENTINCK, a Statement of the Value Sterling of Gold and Silver raised in the several Mining Districts in America and Russia, in the periods of twenty years from 1790 to 1809, inclusive, and from 1810 to 1829 inclusive; and the Annual Net produce of the Duty levied upon wrought Gold and Silver Plate in each year, from 1804 to 1830, inclusive; also an Account of the Number of Private Bills which have passed through Parliament in each year from 1819 to 1832, and of the Petitions which have been presented concerning them; also an Account of the Number of Bankruptcies which have taken place in each year, from 1822 to 1832, inclusive.

New Writ ordered. On the Motion of Mr. ELLICE, for Sunderland, in the room of the Hon. GEORGE BARRINGTON who accepted the Chiltern Hundreds.

Bill. Read a second time:—Seaman's Hospital.

Petitions presented. By Mr. HODGES, from Gravesend and Milton, against the Assessed Taxes, the Septennial Act, and the Corn Laws; and for Vote by Ballot.—By Mr. BRISCOE, from Reigate, for Mitigation of the Criminal Laws.—By Mr. DAVID ROCHE, from four Places in Ireland, for the Abolition of Tithes and Church Cess.—By Mr. SHEPPARD, from Frome, for a more Easy Recovery of Small Debts.—By Mr. NICHOLL, from Cardiff, in favour of the Factories Regulation Bill: another against the Bill for removing the Summer Assizes from Cardiff to Swansea.—By Mr. HODGES, from Bromley, and other Places, against Tithes; from Yalding, for Amending the Law of Sewers.—By Mr. PENDARVES, from Breage, for Removing all Compulsory Laws for the Support of Ministers of the Gospel.—By Sir EARDLY WILMOT, from Bedworth, Sir G. STAUNTON, from Portsea, and other Places, and by Mr. DUGDALE, from Coleshill, and other Places,—against the Beer Bill.—By Sir EARDLY WILMOT, Mr. YELVERTON, Sir GEORGE STAUNTON, Lord SANDON, Mr. J. PARKER, Mr. RYLE, Mr. GREENE, Mr. CRAVEN BERKELEY, Mr. CLAY, Mr. BRISCOE, Mr. HAWES, Mr. NICHOLL, and by Mr. SHEPPARD, from a great Number of Places,—for the Better Observance of the Sabbath.—By Sir G. STAUNTON, Mr. R. BRIGGS, Mr. CRAVEN BERKELEY, Mr. WILKS, Mr. PENDARVES, Mr. NICHOLL, and by Mr. BRISCOE, from Numerous Places,—against Slavery.—By Mr. WILKS, from the Dissenters of Huddersfield, and other Places, Mr. RYLE, from Macclesfield, Mr. BROTHERTON, from Salford, and by Sir WILLIAM CHAYTOR, from the Methodists of Sunderland,—for a Removal of the Disabilities to which Protestant Dissenters are subject.—By Mr. CHARLES RUSSELL, from the Methodists of Reading, for a Mitigation of the Criminal Code.—By Mr. GREENE, from the Coach Proprietors of Liverpool and Manchester, for an Alteration in the Post Horse and Stage Coach Duties.

OBSERVANCE OF THE SABBATH.] Sir *George Staunton* psesented Petitions from the Ministers, Churchwardens, Overseers, and Householders of the parish of Portsea, complaining of the present demoralized state of the population, in consequence of beer-shops, and the non-observance of the Sabbath Day. In supporting the prayer of the petitions, the hon. Baronet observed, that a good deal of misunderstanding prevailed on the subject referred to. The petitioners had no desire to interfere with the innocent recreations of the poor on the Lords' Day. Regulations for such a purpose were unnecessary; all that was sought for was, that the due observance of the Sabbath should not be interrupted by the avarice of one class, or the profligacy and immorality of another. He was anxious that the law, as it now existed, should be so far amended as to enable it effectually to be inforced.

Mr. *Cobbett* would not detain the House many minutes; but he felt himself called upon to say a few words, being satisfied that those petitions, in favour of what they called the observance of the Lord's Day, were neither more nor less than a matter of pounds, shillings, and pence, and not at all of the Gospel. Perhaps many hon. Members were not aware, that such petitions proceeded from a Society established in London for the purpose of effecting their object. The society circulated its pamphlets, one of which he held in his hand, and to which was appended a copy of a petition, and they recommended the people throughout the different parts of the country to send up petitions to Parliament, in the same manner as the Anti-slavery Committee were accustomed to recommend the people. From that petition it appeared, ostensibly, that it was from a regard to Christian principle that they wished the House to interfere with the present observance of the Sabbath; but from the second paragraph of that pamphlet, it would appear that the Gospel had nothing at all to do with it. The hon. Member read the paragraph in question, which stated, that in consequence of the practice that now existed, those who, from proper motives, were desirous of duly observing the Sabbath, were prevented from so doing in consequence of the unfair competition of another class, who spent that day in trading. In short, he conceived it to be the cry of great tradesmen against little tradesmen, and he hoped the House would consider well before it listened to such jesuitical and fanatical petitions. Their object was to put down one of the most industrious and well-deserving portions of the lower class of traders — those who sold apples and oranges on Sunday. There was no case made out for the interference of the House between masters and labourers, and mistresses and their servants; and, if such a Bill were passed, the whole state of society would be dissolved.

Sir *George Staunton* felt himself called upon to say a few words in justification of the petitioners. He was himself personally acquainted with a great number of them, all of whom he knew to be of the highest respectability. The petitions from Portsmouth and Portsea were signed by a great number of persons of all persuasions —Churchmen, Dissenters, Whigs, and Tories; and he was quite satisfied that their only object in presenting the petition was to preserve the institutions of the country, and give the poor an opportunity of deriving some benefits which were given by these institutions.

An *Hon. Member* said, that he believed the real origin of petitions on this subject was a respect for religion. He admitted, however, that there might be some persons actuated by what the hon. member for Oldham called "pounds, shillings, and pence," but he believed that the far greater number were presented from religious motives only.

Lord *Sandon*, in presenting similar Petitions from Stone, and two other parishes in Staffordshire, denied that the petitions originated in a combination of the large against the small tradesmen, as stated by the hon. member for Oldham; and he hoped the hon. Gentleman would not favour the House with assertions which might have an effect, if not contradicted, of producing an incorrect impression.

SALE OF BEER ACT.] Mr. Dugdale presented Petitions against the Sale of Beer Act, from Meriden, and other places in Warwickshire.

Sir *Charles Burrell* could not help taking that opportunity to advert to the subject. He had had the honour of communicating with a noble Duke, a member of his Majesty's Government, who stated, that if the Beer Act was not altered in five years, it would demoralize the whole population of the country, and make them a set of drunkards and miscreants. The fact was, people went to these beer houses, not for the sake of good beer, but of bad company. He entirely agreed with that noble Duke in his opinion. A man more desirous of the general good of the people than that noble Duke did not exist; and he would say also, that no person was better acquainted with the state of the country than the noble Duke, (the Duke of Richmond) the Lord-lieutenant for the county of Sussex. He had from the first objected to the Sale of Beer Act as a complete error in legislation, and had argued at the time it was passed, that some alteration in the Malt-tax would be beneficial, while the setting free the trade in beer would be mischievous. He had stated this to the Chancellor of the Exchequer of that day; but, prejudiced as that right hon. Gentleman was, and looking forward to it as a means of increasing the revenue, the observation was not attended to, and the consequence was, the demoralization of the common people, and great injury to the public security.

Mr. *Robinson* observed, that two men were executed at Worcester for highway robbery, and they stated to the chaplain that the commencement of their crime had been owing to the frequenting of the beer shops. He should be very happy to have the measure reconsidered; and as so many statements had been made from various Members, and so many petitions from different parts of the country presented, he was bound to believe that a change to a very great extent was necessary.

An *Hon. Member* stated, that the Magistrates in his part of the country had granted licenses to only five public houses. Immediately after the Beer Bill passed, however, no less than seventy-two beer shops were opened. It was impossible, from the increased number of these houses, for the officers and constables to have any sort of control over them. He had frequently been informed by publicans, that they were obliged, in order to secure custom, to admit of gambling and every species of immorality in their houses, which, prior to the passing of the Sale of Beer Act, was on no account permitted. At the same time he hoped the House would bear in mind, whatever alterations they might make in the present Beer Act, that it was passed in order to get rid of a great evil, namely, the monopoly of the brewers.

Petition laid on the Table.

FACTORY REGULATIONS.] Mr. *Green* presented a Petition from the master cotton-spinners of the town and neighbourhood of Lancaster, praying the House to grant a Commission to take evidence relative to labour in cotton factories, before the House proceeded with the Bill, of which a noble Lord (Lord Ashley) had given notice.

Sir *Charles Burrell* said, the only effect of granting the Commission would be to procrastinate the Bill. He wished to propose that the Bill should be suffered to pass, say for two years, or even for one year, and in the meantime a Commission could be granted to make inquiries, in order to ascertain whether the Bill should be continued for any longer period.

Mr. *Mark Philips* said, if the Bill were to pass for two years, or even for one year, at the end of that time the trade would be wholly gone from this country, and would be in the hands of foreigners.

Lord *Ashley* assured the House, that great agitation prevailed in the manufacturing districts upon this subject. It was impossible the present system could be allowed to go on. He had received various letters, asking him if he intended to delay his Bill, and accede to the Motion for a Commission? His answer to all these letters had been, that whenever that Motion was brought forward he would resist it to the utmost.

Mr. *Wilson Patten* had been reluctantly obliged to defer his Motion for the Commission on this subject; but he certainly was determined to bring it on whenever he had an opportunity.

Mr. *Potter* must repeat what he had said on a previous night, that if such a Bill were to pass into a law, a blow would be inflicted on the cotton trade, from which it never could recover. He had that morning received a letter stating that it would occasion the immediate withdrawal of a large capital from that trade; and no gentleman would ever think of investing his money in property of that kind, when a Bill like the present might subject him to severe penalties for what he deemed the most profitable way of employing his capital.

Mr. *Philip Howard* was anxious that inquiry on both sides should precede legislation. Restrictions of a very partial nature had hitherto been exclusively imposed on the cotton trade. This Bill was another instance of it. The hon. Member read an extract from a letter which he had received from the Messrs. Dixon, who carried on business on a large scale at Carlisle and Manchester, in which it was stated, that if the present Bill passed, it would drive manufacturers from the situations which they at present occupied in this country. The proposed measure would, by destroying the manufacture in various places, also add greatly to the burthen of the Poor's-rates. The trade would be unable to cope with foreign competition, and nothing but ruin would be the consequence of passing it.

Mr. *John Feilden* agreed in the necessity for the Bill, the best proof of which was the anxiety of the adult labourers for its success. He could not, for his part, believe that the present sacrifice of children was necessary to the success of the cotton manufactory.

Mr. *James Oswald* observed, that many of his constituents, the proprietors of large cotton manufactories in Glasgow, had deputed him to state, that if the House passed the Bill as it at present existed, without inquiry, justice could not be done to them. The evidence which had been given on the subject threw an unmerited odium upon them, which they should not be able to remove without the appointment of a Commission or a Committee.

Mr. *Brotherton* said, that it was the cry, when the investigation took place before, that legislation would destroy the trade. Before legislation had taken place on the subject, children were employed sixteen or seventeen hours a-day, but since the interference of the Legislature, their labours had been greatly diminished, and the trade had increased instead of diminished.

Lord *Molyneux* protested against the child-murder accusation which had by some been brought against the owners of factories. He trusted that the House would institute further inquiries into the subject previous to proceeding with the Bill.

Mr. *Matthias Attwood* said, that a Commission of Inquiry would have the effect of materially procrastinating the Bill. If there was no oppression on the part of the cotton manufacturers, why should they be so sensitive as to the provisions of the Bill, and call so loudly for inquiry that was to end in delay? The object of the Bill introduced by the noble Lord was to put an end to oppression;

and if no oppression existed, what had the cotton manufacturers to fear? In his opinion, it was better that the manufacturers should lay under an unjust stigma than that oppression should continue when it had been proved that it existed.

Petition laid upon the Table.

British Museum.] Mr. *Bernal* brought up the Report of the Committee of Supply, voting 16,000*l.* to the British Museum for the ensuing year.

Mr. *Cobbett* rose to oppose receiving the Report, and to object the grant of 16,000*l.* to defray the annual expenses of what was called the British Museum. He remembered the time when a far smaller grant was sufficient. Under the management of Mr. Banks 10,000*l.* a-year was considered fully sufficient. He would ask of what use, in the wide world, was this British Museum, and to whom, to what class of persons, it was useful? He found that 1,000*l.* had been laid out in insects; and surely hon. Members would not assert that these insects were of any use to the ploughboys of Hampshire and of Surrey, and to the weavers of Lancashire! It did a great deal of good to the majority of those who went to it, but to nobody else. The ploughmen and the weavers—the shopkeepers and the farmers—never went near it; they paid for it though, whilst the idle loungers enjoyed it, and scarcely paid anything. Let those who lounged in it, and made it a place of amusement, contribute to its support. Why should tradesmen and farmers be called upon to pay for the support of a place which was intended only for the amusement of the curious and the rich, and not for the benefit or for the instruction of the poor? If the aristocracy wanted the Museum as a lounging place, let them pay for it. For his own part he did not know where this British Museum was, nor did he know much of the contents of it, but from the little he had heard of it, even if he knew where it was, he would not take the trouble of going to see it. Sixteen thousand pounds granted for the support of such a place, were 16,000*l.* thrown away—given for the amusement of loungers who paid little or nothing towards the taxes from which this 16,000*l.* was taken. Ten thousand out of this 16,000*l* was paid away in salaries. He should like to have a list of the salaried persons: he should like to know who they were; he should like, above all things, to see whether they were not some dependents of Government—some of the aristocratic fry. He wanted their names—who they were—the names of the maids who swept out the rooms, to see whose daughters they were; whether they were the daughters of the heads of the establishment, or what other relation they bore to them. He concluded, by declaring that this British Museum job was one of the most scandalous that disgraced the Government, and when he said that, he thought that he could not make it more disgraceful. He would, therefore, move, "that the Report be re-committed."

Lord *Althorp* said, that he would second the hon. Member's motion, as he was sure that there was no other Gentleman of education and understanding in that House who would consent to do so. He seconded the motion, in order to be able to say a few words upon it. He was not at all surprised at the motion of the hon. member for Oldham, nor at the statements he had just made, since a few days ago, he declared that education was of no use, and that he was completely opposed to the higher branches of science. Happily there were no class of persons in the country, no matter what their circumstances might be, who agreed with the hon. Member on this point, and who could make up their minds to say that the first principles of science were of no use. The expense for promoting them should not be injudiciously squandered, he allowed, in fact not a single pound should be wasted, but this was very far from saying that no allowance at all should be made for the promotion of education and science. Institutions similar to the British Museum existed in every country. On this head England had always been accused of avarice, and in all civilized countries she was blamed, not for running into extremes for the encouragement of science, but for being over cautious in money-matters on this point. No one in that House could agree with the opinions expressed by the hon. Member.

Mr. *Warburton* said, that he did not know whether every portion of the 16,000*l.* was judiciously expended; but with respect to the general principle of supporting an institution of this kind, he had no doubt. In evidence given before the silk Committee, it was stated, as a reason why foreign countries had the start of us, that, by museums, every opportunity was given to the poorer classes to improve their taste. The object of this institution was to collect all the wonders of nature and art, and its benefits were not confined to visitors alone, for, by means of cheap publications, the contents of the Museum were made known throughout the country. There could not be a doubt but that ultimately the advantages of such an institution would be extensively felt by the humbler classes themselves.

The Report received.

SUPPLY—NAVY ESTIMATES.] On the motion of Lord Althorp, the Order of the Day was read for the House to resolve itself into a Committee of Supply. The noble Lord then moved, that the Speaker do leave the Chair.

Mr. *Hume* rose to explain the grounds on which he could not concur in the motion that the right hon. Gentleman should leave the Chair. Ever since Parliament had met he had been anxious to know from his Majesty's Ministers whether they intended to make any and what reduction in the taxation of the country. The Ministers, however, carefully evaded giving any explanation on the subject in the Speech from the Throne, and the noble Lord had as carefully avoided the subject in all his speeches delivered in that House; and the House was at that moment in complete ignorance whether Government intended to afford any relief to the people or not. The noble Lord had indeed plainly said, that he did not intend to offer any explanation, or to give an answer to any question on the subject till the termination of the financial year. The great objection to terminating the financial year on the 5th of January was, that the service for each year was begun before the House was in possession of the amount of the expenditure of the year preceding; and it had been resolved in consequence of that objection that the financial year should in future terminate on the 5th of April, instead of the 5th of January. He understood, that the object of the alteration was to give sufficient information to the House at the commencement of the year, to enable it to know what ought to be voted; but if that information was to be withheld till the 5th of April, it would be perfectly impossible that the object which they had in view in adopting the new regulation could be effected. He understood that the object of granting Supplies for five quarters of the year, last year, was, that the Government should have one quarter of a year in advance, so as to enable the House to consider the expenditure of the past year, before it was imperatively necessary that they should vote the Estimates for the next. What situation were they in now? In consequence of the refusal of the noble Lord to give any information, the House would derive no advantage from the change. They would come to the consideration of the establishment of the country without having previously ascertained what the state of the financial affairs was; and it was impossible that hon. Members could know what amount of Supplies they would be justified in voting, as they were in total ignorance of the income and finances of the country. He thought that after the long discussion on the Irish Bill, the people of England would expect that the House should take their grievances into consideration, and afford them some relief from the load of taxation under which they had so long groaned. He had just been reminded that the discussions on the Irish Bill were not unimportant; he did not deny, that they were important; but he doubted the propriety of having brought forward that Bill at all. The opposition to the Bill was most proper, and such as he trusted any similar Bill, should one ever again be brought forward would receive. He wished, however, to ask the House whether they met to consider in what manner the people should be relieved, or merely to echo the sentiments of his Majesty's Ministers, and whether the noble Lord was prepared to afford that relief which the nation expected? Undoubtedly, every Member in that House who had anything like a popular constituency, was pledged to economy and to a reduction of taxation; and the proper time to redeem that pledge was before they voted the Supplies for the different establishments of the year. The noble Lord had given the House no information as to his future plans of finance, or as to the extent of relief which he should be able to afford to the people. But, notwithstanding that, sufficient had appeared to show that no relief could be expected unless they reduced the establishments of the country. By the papers laid on the Table of the House up to April last when the accounts of the previous year were made up, it appeared that on the 5th of that month they had actually exceeded the income of the country to the extent of 1,200,000*l*., and had increased the public debt to the amount of 1,263,000*l*. It was perfectly evident, therefore, that no relief could be afforded and that no reduction of taxation could take place unless the charges for the public service were reduced below what they were last year. It further appeared, from a paper laid upon the Table during the present Session, that the surplus income from the 5th of April, 1832 up to the 5th of January, 1833, amounted to about 600,000*l*., so that the deficiency of the former year was half made up; still, however, there was a deficiency of more than half a million. He would submit to the House, therefore, whether any circumstances had taken place in the last quarter to warrant a supposition that the surplus of this year would more than equal the deficiency of last year, thereby balancing the difference between the former years, but leaving nothing over from which the country could expect relief. That was the true state of the case; and he would unhesitatingly assert, that unless the establishments of the country could be cut down, it would be impossible to reduce taxation. It was impossible to afford permanent relief by following the system which had been acted upon by former Ministers — that of borrowing money when the taxes did not cover the expenditure. He had proposed to the noble Lord opposite to take a vote of credit on account of the Estimates for three months, and in the mean time the House could be informed of the intention of his Majesty's Ministers, and be able to form a correct view of the amount of the Army and Navy, which ought to be kept up. The noble Lord, however, did not choose to accede to that proposition, and had now come forward to ask the House for the whole of the Naval Estimates of the year. He called on the House that night to vote 27,000 men for the service of the Navy; meaning to ask them on Wednesday to vote 89,000 men for the service of the Army, and on some future day to vote a proportionably extravagant establishment for the Ordnance. If they voted that number of men for the service of the year, they must necessarily vote money for the support of that number. And he wished to ask them if they voted that money, how could they consistently demand a reduction of taxation, or give that relief which the people so fully expected? In order to show that these were not his own ideas and that he did not state them on his own authority, he would read a passage from the Report of the Finance Committee which sat in 1828, which would show what the opinion of that Committee on the subject was, after a careful examination of the circumstances of the country. They said that "as the army and navy were the great source of expense to the country, it was only by keeping them within proper limits that any great saving could be effected." It was not by reducing a small and trifling office here and there, that they could make any reduction in the taxation worthy of notice. No real reduction could take place, unless they assailed the army, the navy, and the ordnance; and the Finance Committee had accordingly said in their report, "the Committee, after full consideration, adopt the opinion expressed by the Select Committee of finance of 1819, that it is difficult to determine the proper medium to be preserved between a position of complete preparation for defence, and that state of economical reduction which may prudently be conceded to the resources of the country. But during a period of peace the Committee must advert, as that Committee did, to the necessity of turning times of tranquillity to the improvement of the revenue, by retrenchment and economy, without which the best means of defence may be rendered incapable of exertion in moments of alarm and danger; they beg earnestly to press this observation upon the serious attention of the House." He would ask if they were not then in profound peace? In the Speech from the Throne, they had been told that no fears were entertained of external hostilities, and he hoped none were entertained of internal commotion— consequently they were in a situation to adopt the recommendation of the Committee, and to give the people that relief which they so much required. At present they kept up the war establishment in a time of profound peace. This was, in his opinion, altogether inconsistent with the welfare and happiness of the country; and he therefore felt it his duty to call the serious consideration of the House to the subject. Crime was increasing in the country, and they could have no hope of checking that increase unless the people could more easily than at present attain comfort and preserve themselves from poverty. There could be no doubt that the increase of crime was caused by the poverty and misery of the people, occasioned by excessive taxation. That in his opinion was the proper time for them to pledge themselves to those reductions in the expenditure which their constituents expected, and it would be out of their power to reduce the expenditure, unless they reduced the army and navy. It was only by so pledging themselves, and redeeming the pledge, that they would get the Chancellor of the Exchequer, or any Chancellor of the Exchequer, to do what the country expected of them. He believed the present Chancellor to be as honest a man as had filled the situation for some time, but, like all his predecessors, the change of place seemed to have changed some of his opinions regarding economy. The report of the Finance Committee of 1828 laid it down as a principle, that no greater establishment, nor any more money than was absolutely necessary should be taken from the people at any time, and if that were true as a general principle, how especially applicable was it at a time of great distress and peculiar difficulties arising from the excess of taxation. He was prepared to show that the taxes were now as heavy as they were in the year 1817; for although a large amount of taxes had been taken off since that year, still the country paid as much in taxation measured in ounces of gold and quarters of wheat at the present time as it did in 1814, 1815, and 1816, when the taxes amounted to 69,000,000*l.* Many instances came within his own knowledge of the distress which taxes created, one of which only he would mention. In the parish of Covent-garden, out of 500 houses the occupiers of only fifty had paid the Assessed Taxes, while 357 out of the remaining 450 refused to pay those taxes, either in consequence of surcharges, or from inability to pay. He was one who had concurred in the re-establishment of the standard, for he thought that right; but then the Government ought to have reduced the expenditure of the country in the same proportion. Had that been done, the present difficulty would not have existed. He had made a statement in 1826, which showed that the average amount of taxation (it being 70,000,000*l.* during the three years commencing in 1813 and ending in 1815, was equal to 15,853,000 quarters of wheat, and that the average of the three years from 1823 to 1825 was equal to 17,434,000 quarters. There had been an actual increase in the burthens of the people of ten per cent, though the nominal taxes in the latter period was only 52,000,000*l.*, while they amounted to 69,000,000*l.* during the former period. Then as to gold, if the amount of taxation were measured in ounces of gold, it would be found that as many ounces of gold, reduced only three per cent, were paid in taxes during the years 1823, 1824, and 1825, as had been paid during the years 1814, 1815, and 1816. A similar observation might be extended to the present time. He thought that our taxes were heavier at present, measured in corn, than they had been at any former period; and as long as corn and bullion were taken as the standard which regulated the transactions of men, the amount of them, paid in taxes, ought to be taken as the real criterion by which to judge the amount of the taxation of a country. There was one point more to which he wished to draw the attention of the House, as being of great importance. He considered that poverty was the great cause of the increase of crime in England. The average number of persons committed for offences during the five years from 1805 to 1809 was 4,692; while the average of the years from 1820 to 1825 was 13,005; and from 1828 to 1832 the average was 18,764; in 1805 the number of commitments was 4,605; in 1832 the number was 20,825. That deserved great attention, because the amount of crime might be taken as a criterion of the distress and difficulties to which the people were reduced. If poverty and distress were the result of taxation, they ought to use every effort to reduce the amount of it, in order to give the people relief. They ought, then, to take the view of the subject which had been recommended by the Finance Committee of 1828, and make every reduction in the naval and military establishments that was practicable. No man could doubt that if a large reduction were made in the expenditure, that general distress would be relieved and crime diminished. They were in the habit of looking at the amount of those establishments in detail; but when they summed the whole together, it was surprising to see the amount to which they swelled. This year, for instance, they were asked to vote 27,000 men for the service of the navy, 89,000 for the army, and between 8,000 and 9,000 for the ordnance; making a total of 124,000 men. This was exclusive of Militia, Yeomanry, and Volunteers, which cost the country at least half a million sterling. He thought that 120,000 men were quite disproportionate to the wants of the country, and the means of the people. The House would do well not to vote that force for the present year, but to insist on a large reduction as the only means of reducing taxation. He did not wish them to go back to the Estimates of 1792, but they ought to look to them as a pattern, and endeavour to bring back the establishments of the country to their state at that period. The Finance Committee of 1828 thought, that a large reduction in the navy was, at that time, not only possible but necessary. The number of men voted for the service of the navy in the year 1792 was only 16,000, marines included, and now, though there was no prospect of war, nor any cause for our increased force, the question was, whether they should vote 27,000 for the service of the present year. Ministers ought certainly to have the confidence of their supporters; but, at the same time, when such a large demand was made on the resources of the people, it was proper and necessary that the House should receive every explanation before voting the Estimates. He would remind the House of the opinion of Sir George Cockburn, whose long experience gave the greatest weight to what he said. That gallant Officer had been asked his opinion as to the keeping up so large a force as 30,000 men. He said, that nothing but State necessity could justify it. He was then asked what number of men he should consider necessary to be kept up in time of peace? He had made an Estimate, which altogether amounted to about 16,000 seamen and 4,000 marines. This was the opinion of that gallant and most experienced officer of the amount of force requisite to be kept up in time of peace; and he (Mr. Hume) would ask, what was there in the state of the country at this moment which required the maintenance of more than a peace establishment? We had certainly embroiled ourselves in meddling with Holland, though he trusted that this unlucky affair would soon be settled—but even if it were not, such a very large naval force would not be necessary. The present Administration had called themselves an economical one, and very great things had been and were expected of them; yet it was a fact that a larger naval and military force was kept up by them than by their predecessors. The Estimates of the Duke of Wellington's Administration were considerably exceeded by those of the present Ministers. The right hon. Baronet (Sir James Graham) had taken great credit to himself for reducing the establishment to 27,000 men; but the House would scarcely credit the fact, that he had scarcely reduced them one single man. The Duke of Wellington's Estimates were 29,700 men, 2,700 of whom were for the blockade service. These 2,700 men the right hon. Baronet had struck off, and transferred the duties to the Custom-house department, by which department those men were to be paid. Where then was the reduction? In the year 1817, there had been a Finance Committee appointed; and if hon. Members had an hour or two to spare, they could not employ them better than in studying the Report of that Finance Committee, where they would find the strongest recommendations of strict economy—recommendations which he was deeply grieved to see had not been attended to. If they had time, also, to look at the speeches of Lord Castlereagh, they would find that Minister expressing his deep regret at being unable, from the hostile demonstrations displayed, and armies kept up, by other European nations, to make any reduction in the number of our force; expressing, however, a determination to make the most decided reductions as soon as ever these hostile demonstrations should subside. There were no such reasons for keeping up an enormous military force at present, and yet our naval and military establishments were greater than ever. With respect to the marines, there were now 9,000, and 5,000 were heretofore found sufficient. Taking an average of the number of seamen and marines for six years, from 1817 to 1823, it appeared that this average was only 20,000; and he should be glad to know what there was in the state of England, or in the state of Europe, to warrant the keeping up such a preposterous force. There were full 11,000 more seamen, he asserted, than could possibly be wanted. These facts were a full explanation as to what rendered it necessary to levy such an enormous and overwhelming amount of taxation from the people. In the year 1823, there had been a very large increase in the number voted on account of piracies. One year the state of things in India was an excuse for a further increase; and, the next the state of Portugal called for an addition to our already enormous force. But there had, on these occasions, at least, been some grounds alleged for the various additions. Now there was no reasonable pretence for keeping up such a preposterous force, everything was quiet, and none of the causes which had been assigned for former additions could now be brought forward; and, indeed, if we had not so unwarrantably and blameably taken upon ourselves to meddle with the affairs of other people, we should not have occasion to keep up a greater force than 16,000, or at the utmost 20,000. The noble Lord proposed to the House a vote for 27,000; but he would strongly urge upon the House the necessity of not voting more than 20,000. It was true, that we were obliged to keep up a naval force in Portugal for the purpose of protecting our merchants. He would again earnestly entreat the House, before they voted for these Estimates, to show the Government and the people, by a large majority, their full determination to make large reductions in the taxes. He did not mean to go back so far as 1792 for a standard, though, as the whole of the troops including those stationed in Ireland, consisted but of 45,242 men, he did not see why there should be a larger force kept up now, when there was less occasion than ever for large establishments. Speaking of Ireland, he could not but express a feeling of deep regret at the apathetic indifference with which the English people had for the last twenty years suffered themselves to be taxed for the support of 11,000 or 12,000 soldiers in Ireland, for the maintenance of despotism and tyranny in that country. The number of our troops was gradually increasing up to the year 1824, when their number was 73,000; but our army was never so great as at present, since those years when we required such large forces to be kept up in France. At the present period, making an ample allowance for our additional colonies, there could be no possible necessity for more than 55,000 men; but as to the number of forces proposed to be kept up by Ministers, amounting to no less than 89,000, he conceived such a proposition to be monstrous, and one to which the House ought never to give its consent. The artillery had formerly been about 4,000, and had hitherto been found quite adequate for every purpose, but the present Ministers required 8,800. The whole amount of men composing the three descriptions of our forces exceeded 120,000. Adding to this number the Military Staff, the Volunteers, and the Yeomanry, making altogether an additional armed force of nearly 60,000 men, there would altogether be found to be the enormous body of 180,000 armed men. There could be no possible necessity or excuse for maintaining such a monstrous force as this. There must be a decided and effectual reduction in their numbers; it would be no use to strike off a quarter-master here, or a drummer-boy there—no, they must set to work in earnest, and reduce all the services to a great extent. This was the only way in which that House could perform its duty to the people; they ought not to vote a single estimate without coming to a fixed and unanimous determination of reducing the establishments. It was not proper that one man should be kept up more than the service required, or than the people could pay for. It was quite vain to think that they could satisfy their constituencies, or afford them relief in any other way than that of reducing the taxes and the public establishments. Owing to the extent to which these had been kept up to, to the change in the currency, and other circumstances, the people, he repeated, were now paying an amount of taxation more grievous, if not greater, than they were paying in 1813. Was it therefore fit that they should persevere in their present extravagant course? The best means of securing general tranquillity at home, would be, to reduce taxation, and so to relieve the oppressive burthens of the people: the best way to secure us from aggression abroad, was to reduce our establishments, and refrain from meddling with the affairs of other people. He should conclude by moving as an Amendment on the Motion, for the Speaker leaving the Chair, the following Resolution: "That it is expedient, before voting the Estimates for the Naval and Military Establishments for the public service of the year, that this House should be informed of the state of the finances of the country, and whether any, and what relief to the people from the burthen of taxation, in order that the establishments may be suited thereto. If that were carried, he should also move a Resolution, "That it is imperative on this House to require a large reduction of taxation, as the best means of affording relief to the country." He trusted that no Member of that House would think that, in proposing these Resolutions, he had the remotest intention of throwing any difficulty in the way of Ministers. He did not at all wish to interfere with them; but he intended to give them a hint, it might be a broad one certainly, that they must reduce their Estimates so as to allow of a proportinate reduction of taxation.

Lord *Althorp* said, to reply to the first observation of his hon. friend, relative to the change in the financial year, his hon. friend had not correctly stated the objects which had been contemplated by Ministers in that alteration; but which, unfortunately, had not been accomplished. The intention had been, that the Estimates for the ensuing year should be voted before the commencement of the financial year, and not that the statements of the revenue for the previous year should be laid before the House before the end of that year; that was plainly impossible. It was true that Ministers would not be able to get the Estimates for the ensuing year voted before the commencement of the year; but that was owing to the House having been so much occupied with more important business. The hon. Member gave, as his object in proposing his Resolutions, that Parliament and the country at large should be informed, in the first place, as to the state of the finances, before they voted the Estimates, so as to know exactly what they had to expend. This, he believed, was a fair statement of the hon. Member's proposed objects. He must say he had been somewhat surprised to hear the hon. Gentleman refer, in support of his views, to the Report of the Finance Committee. The recommendation of that Committee certainly was, that Parliament should not vote more than was absolutely necessary for the purposes of the State. It was unnecessary to cite this recommendation, for the principle it laid down was one which every government admitted, and the present Government was guided by—namely, to cut down taxation to the lowest possible amount consistent with the interests of the State. The Committee properly said, that whatever might be the state of the finances, Ministers were not justified in asking a single farthing more than the public service required. The hon. member for Middlesex, however, made it out that the establishments must be reduced, because the revenue was not flourishing. Why, if that principle were admitted, the consequence would be, that the Government might be extravagant whenever the revenue was ample. The proper principle to act on was, to cut down the establishments to the lowest amount consistent with the public service, and then raise the sum necessary to defray that expenditure in the least objectionable manner. The hon. Gentleman said, that the only way by which a reduction of taxation could be produced, was by a reduction of the expenditure; this, of course, was one great mode; but there might also be a reduction of taxation produced by an increase in the revenue. The hon. Gentleman had truly stated the deficiency at the close of last year, 1,240,000*l.*; but the hon. Member had forgotten to take into account the immense reduction in expenditure in the Estimates for this year, amounting to upwards of 2,000,000*l.* In fact, the hon. Member altogether took too gloomy a view of the condition of the country. The hon. Member, in proposing the Motion, had said that he felt it necessary to press upon Government for a reduction of taxation, from his persuasion that they would not institute such a reduction, if left to themselves. He (Lord Althorp) thought this charge very unjust, and one which could not be borne out by facts. The very first step he himself had taken upon entering into office, had been to make a large reduction of taxes—a reduction so large, that the revenue had considerably suffered from it. Surely, therefore, he could not be accused of any want of inclination to promote every possible reduction. He perfectly agreed with the hon. Gentleman, that the only effectual means of giving relief to the people was the reduction of taxes. The greatest portion of the hon. Member's speech, he must observe, had been inapplicable to the present Motion, for they related to the number of men which should be voted for the naval and military services, which would be properly discussed when the House was called upon to vote the number of men;

he should, therefore, decline entering on this discussion at present. The question they had now to decide was, whether they would vote the Estimates for the year, before a statement was laid before them of the balance-sheet of the year? He contended, that the proper principle was, that the House, in voting supplies, should not be guided by the balance-sheet of the past year, but by what was considered requisite for the service of the year. He objected to the principle laid down by the hon. Member, for he thought that the expenditure ought to be regulated solely by the necessities of the country.

Mr. *Robinson* did not consider the noble Lord's answer such as at all to impugn the proposition of the hon. member for Middlesex, in which he entirely concurred. With respect to the alteration in the financial year, the noble Lord had corroborated the statements of the hon. Member.

Lord *Althorp* explained. What he had said was quite the reverse. It would be utterly impossible for him to give the balance sheet of the year ending April 5th before April 5th came.

Mr. *Robinson* contended that on general principles the House ought to be in possession of the fullest information as to the state of the general finances before they voted the Supplies. He had not heard the slightest answer to the proposition of the hon. member for Middlesex, to take a vote of credit for three months; and if that hon. Member divided on the question, he should most certainly have his support. He did not blame the Ministers for the delay in bringing forward the Estimates; the engrossing nature of the business which had hitherto occupied the attention of the House sufficiently answered for them.

Mr. *Herries* could not concur with the hon. member for Middlesex in the Motion he had made; but he did concur with him in many of his observations, and thought that they had received no answer from the other side. He could not concur with the noble Lord in the propriety of going into a Committee of Supply before the noble Lord had given that information which he, in common with the hon. member for Middlesex, thought necessary. He did not agree, indeed, with all the principles laid down by the hon. member for Middlesex. In his opinion, the first step was to ascertain the exigencies of the State, and next to make the revenue of the State accord with them. If the House were to be guided by the amount of the revenue, in framing the Supplies for the service of the year, it would, he believed, frequently run into great extravagance. One of the reasons which the noble Lord assigned for not giving a satisfactory explanation was, that the financial year was not yet ended, and that he was not able, accordingly, to make a complete statement of the finances for the year. But one quarter made very little difference in such a vast revenue as ours. It should, however, be remembered, that one advantage of the change which was much dwelt upon at the time it was proposed was, that it would enable the Government to bring before the House the expenditure for the year, and all the wants of the year. The House of Commons, it was said, would not have the consideration of the votes for the year brought under its notice till it had had time to consider the revenue and the resources of the country. He called upon the House to consider the situation in which the Government had placed itself with reference to this subject. The present Government had, in the present Session, gone far beyond any other Government in calling upon the House prematurely to vote the Supplies of the year before it had given the House any information. The Ministers were most backward in giving the House that financial information which was necessary; and the noble Lord had not stated any good reason why he should not give the House that information before calling on it to vote the Supplies. The noble Lord might have laid before the House an account of the produce of the revenue and his general views of the finances of the country. The noble Lord had now had one year's experience of the change made in the date of the financial year, and he wished to know what advantage the noble Lord had found from the change? This was the first year when it might be expected that the new system would be exhibited to the best advantage, and he asked, therefore, what benefit the public had derived from it? The noble Lord assigned as a reason for not making his financial statement, the great pressure of public business; but the noble Lord and his colleagues knew of this business, and they might have assembled Parliament sooner, rather than have infringed the new regulations. They might too, and he thought they ought to have dissolved the Parliament earlier, and called the Parliament together sooner for the despatch of business. The noble Lord might also have proposed the votes at an earlier period. He must complain that even yet the miscellaneous Estimates were not laid before the House, and that no reason had been given to satisfy the House on account of this remarkable omission. Again he called on the noble Lord to state, after one year's experience, if any advantage had been derived from the change in the financial year, and if any were derivable from it? In conclusion, the right hon. Gentleman declared, that he could not vote with the hon. member for Middlesex, though he by no means thought that the noble Lord had given any satisfactory answer to the observations of the hon. Member.

Sir *James Graham* referred to the statement made by Mr. Herries before the Finance Committee in 1828, to show, in opposition to the statements of the hon. member for Middlesex, that the first duty of the Government was to provide for the exigencies of the State, and that the revenue ought to be made to depend on those exigencies, and not the expenditure to depend on the revenue; that it was after the necessary expenditure was settled within the narrowest limits, that the Government ought to consider the ways and means for meeting it. The right hon. Baronet eulogised the financial talents of the right hon. member for Harwich, and stated that he looked upon that as a most valuable document.

Mr. *Herries* (interrupting the right hon. Baronet) was understood to say, that his statement before the Committee was meant to apply only to the Ways and Means of the year, and not meant to exonerate the Chancellor of the Exchequer from stating to the House the expenditure of the past year, and his view of the financial resources of the country, before calling on the House to vote the Estimates.

Sir *James Graham* was content with the right hon. Gentleman's explanation, and he called upon the House to notice the consistency of that with the statement he had just made. He understood it to admit that the expenditure of the country should first be regulated with the strictest regard to economy, and that then the taxation of the country should be regulated accordingly. The right hon. Gentleman complained, too, of the Estimates not having been laid before the House; but he called the House to witness that the Navy Estimates were, within two days after the assembling of Parliament, laid upon the Table of the House. He had been willing to give every information to the House; and, of about forty returns moved for by the hon. member for Middlesex, he had objected to only one. He admitted that the experiment made as to the change in the date of the financial year had failed, but the House was aware of the cause why the Ministers could not accomplish their own views. They had felt it to be their paramount duty to bring the state of Ireland before the House, and on account of that every other business had necessarily been postponed. The right hon. Gentleman accused the Ministers of delay in assembling the Parliament; but the House was assembled the very first day possible, that was, the first day after the writs were returnable. The right hon. Gentleman also complained of them for not having dissolved the Parliament sooner. In making that complaint he could believe that the right hon. Gentleman was very sincere. But the fact was, that under the new Act for regulating the constituency, the first day on which the Parliament could be dissolved was the second of December, and the Parliament was dissolved on the third. It was not necessary for him to enter further into the subject, and he hoped that he had satisfied the House that the objections of the right hon. Gentleman were not well founded.

Sir *Thomas Freemantle* concurred with the right hon. member for Harwich. He did not want an explanation of the Ways and Means of the year, but a financial statement of the expenditure of the last nine months, and the views of the Ministers as to the future financial prospects of the country.

Mr. *Harvey* said, the noble Lord was determined not to make the statement demanded, and perhaps it was hardly worth while to carry the contest to a division, in which the noble Lord was sure of obtaining a victory. With such a determination on the part of the noble Lord, the House could only anticipate the result. The Motion, however, was full of benefit, and he could feel comfort in his anticipations. The Government was most anxious, as they all knew, to reduce the expenditure, and it only delayed the statement the more agreeably to surprise the public by showing that it had fully redeemed those pledges of economy which the Ministers made on taking office. He derived great comfort from the delay, and had no doubt that the disclosures of Ministers, when they were made, would surpass public expectation. He hoped his hon. friend would allow Ministers to go into a Committee, and make out, if they could, that the number of the army and navy they meant to propose was needful for the security of the country. If that number was not necessary, he had a well-placed confidence in the hon. member for Middlesex, that he would propose such a diminution as was proper. It was the duty of the House to diminish that number as much as practicable. As yet that House had done nothing to show what it meant to effect in the way of economy.

Mr. Hume would not press his Motion to a division.

Amendment negatived, and the House resolved itself into a Committee of Supply.

Sir *James Graham* rose to propose the Navy Estimates. He hardly, he observed, needed to impress upon the House the importance of the subject he was about to submit to their consideration, inasmuch as it was the first vote connected with the great and expensive establishments of the country which had yet been brought before a Reformed House of Parliament. The country, he believed, had looked forward to the occasion with great anxiety, and so had he, because he expected to meet Gentlemen returned to the House, the faithful representatives of the wishes of their constituents, and resolved to enforce the most rigid economy in every branch of the public service. He had looked, however, to this period without apprehension, because he was confident of the determination of his Majesty's Government to enforce all practical economy to the utmost extent; and he felt assured that the House would use proper precaution in dealing with those great establishments on which the safety and honour of the country mainly depended. He was satisfied that the House of Commons would in all the questions of finance, which would be submitted to it, act with due caution and deliberation in the work of alteration or revision, in order that they might not compromise the safety or honour of the country. They would do nothing hastily or inconsistently with their duty to secure the happiness of their country. He had no hesitation in declaring that his Majesty's Government had done, and were determined to do, their utmost in promoting a reduction of the expenditure in this as well as in other departments of the public service; and it did appear to him that such reductions would be much better effected through the direct instrumentality of the Executive than by the immediate agency of that House, acquainted as the Executive must be with all the various details upon the subject, and responsible as it was for the proper performance of the duty that devolved upon it. He would proceed to call the attention of the House to the reasons which had induced him to come forward with the resolution with which it was his intention to conclude, and in doing so, it would be necessary for him to advert to the arguments which had been urged in the debate that had taken place previous to their going into Committee that night—arguments which were principally founded, or professed to be founded, upon the report of the Finance Committee of the year 1828. As this was an important point, the House would perhaps, forgive him for trespassing upon its time at some length with respect to it. With regard to the expenditure in 1828, he could not state any thing new, and he should only have to repeat the facts which were then laid before the House in the able and perspicuous statement of the present right hon. member for Harwich (Mr. Herries). He would compare the expenditure as it then stood, and the reductions that since that period had been effected in it. It appeared, from the finance report of the Committee of 1828, that the average annual amount of the public expenditure for the five years preceding 1827, from which were excluded all drawbacks, repayments, allowances, advances for public works, &c., but which constituted the expenditure connected with the revenue of the country, was 55,744,863*l.*; but this expenditure was divided by the Committee into two branches, first into that branch which could not be reduced consistently with the maintenance of the public faith, and the honour of the country; and into that susceptible of reduction. In their report the Committee say—" It may, in the first place, be proper to point out how large a proportion of this expenditure of 55,744,863*l.* was for charges of such a fixed nature as not to be susceptible of diminution by any measures of retrenchment that could immediately be adopted. Of this description are—

The interest and charges of the debt, funded and unfunded - - - - - - -	£28,940,701
The civil list - - - - - - -	1,057,000
Pensions, not included in the civil list,	499,139
Half-pay, pensions, and superannuation allowances - - - - - - - - -	5,455,990
Total - - -	£35,952,830

Thus, of the 55,000,000*l.* of expenditure in 1827, it was decided by the Finance Committee that there was above 35,000,000*l.* of such a nature that it could not be reduced; leaving at that period a sum of somewhat more than 20,000,000*l.* which, consistent with the maintenance of the public honour, and the faith of the country, might, in the opinion of the Committee, be beneficially reduced. He would now state what reductions in each successive year, from 1828 up to the present time, had been made in that sum. The following account, which had been prepared for him by his noble friend, the Chancellor of the Exchequer, would show how far those reductions had been progressively effected in the last five years, and exhibit, at the same time, the amount of the fixed expenditure for the year 1832:—He would proceed to read an Account of the Expenditure in the last five years, exclusive of Advances for Public Works, and exclusive of Repayments, Allowances, Discounts, &c.

	1828.	1829.	1830.	1831.	1832.
	£.	£.	£.	£.	£.
Charges of collection	3,816,435	3,736,792	3,671,053	3,627,529	3,629,983
Payments for bounties and other services charged on the gross revenue	1,470,157	1,411,489	1,204,621	960,638	904,348
Payments for interest, &c., of funded and unfunded debt, including the Russian loan raised in Holland	28,801,086	29,268,376	29,228,308	28,454,935	28,433,646
Permanent civil services, including civil list	2,084,713	2,140,236	1,922,449	1,435,254	1,738,403
Occasional expenditure and advances under acts of Parliament....................	132,944	...	127,400	...	...
Civil services voted under the head of miscellaneous	2,012,116	2,485,661	1,950,109	2,854,013	2,396,921
Military and naval services annually voted	15,198,984	15,180,861	13,914,677	14,379,096	13,805,026
	53,516,435	54,223,415	52,018,617	51,711,465	50,908,327

Total for the five years.......................£262,378,259

Comparing the gross expenditure of 1832, with the gross expenditure of 1827, it would appear that government had made a reduction in that 20,000,000*l.* over which alone it had any control to the amount of nearly 5,000,000*l.* It was, proper that he should direct the attention of the Committee more specifically to the fixed charges of 1832, which were

The interest and charges of the debt, funded and unfunded ...	£28,433,646
Civil List	510,000
Pensions not included in the Civil list	607,670
Half-pay, pensions, and superannuation allowances	5,348,684
	£34,900,000

It would appear, from these accounts, that the sum of money over which the Government had no control was, in the year 1827, in the proportion of seven to eleven to the whole expenditure; in the year 1832, it was in the proportion of seven to ten. If the reduction of five millions were compared with the whole sum which was under the control of Government, it would be seen that a reduction of no less than twenty-five per cent had taken place. He had thought it right to lay these statements before the House, because they would tend to show how narrow the ground was upon which Ministers had it in their power to operate. In 1827, it was narrow, extending only to about 20,000,000*l.*; but, in 1832, it was still narrower, and only extended to 16,000,000*l.* He had no wish, whatever, in the observations which he had thought it his duty to make upon this subject, to claim great credit for his Majesty's Ministers, or to throw any imputation on any Administration which had conducted the finances of the country, previously to the period when the present Ministers came into office; but he deemed it necessary to make these statements, in order to show that his Majesty's present Administration had really not been guilty of that culpable negligence with respect to reductions in the expenditure of the country of which some hon. Members, who ought to have better understood the subject, seemed inclined to accuse them; and to prove, on the contrary, that they had exerted themselves to the utmost, to introduce the greatest possible economy in every department. It was his wish, in the next place, to call the attention of the House to the proportion (as compared with the whole of the savings) of the reductions which had taken place in the departments in which those Estimates were included which they were now more particularly discussing—he alluded to the Naval and Military Expenditure. In the year 1827, out of those 20,000,000*l.* that could be reduced, the naval and military expenditure amounted to 16,205,212*l.* In the year 1832, out of the 16,000,000*l.* to which those 20,000,000*l.* had been reduced, the naval and military expenditure was 13,805,000*l.* The House would see from that, that of the 5,000,000*l.* which had been reduced, since 1827, 3,000,000*l.* consisted of reductions in the naval and military expenditure of the country. Since the present Government had come into office, every effort had been made by his colleagues, and by himself, to reduce the naval and military establishments, and that he should think would appear sufficiently from the fact, that out of those 3,000,000*l.*, more than 1,000,000*l.* had been saved by the present Government since it came into power. He would first establish that fact more clearly by a reference to a comparative account of the navy Estimates since 1829. In 1829, the navy Estimates were 5,878,794*l.*; in 1830, they were 5,594,955*l.*; in 1831, these Estimates, (though brought forward by the present Government, should be considered as the Estimates of the preceding Ministry, as it was in a forward state of preparation when the present Government accepted office), they amounted to 5,870,551*l.*; in 1832, they were reduced to 4,878,634*l.*, and those to be voted for the present year would amount to 4,658,134*l.*;—that was to say, that the navy Estimates for the present year would be less than the navy Estimates for the year 1830, by 946,821*l.*—that they were less than the navy Estimates for 1831 by 1,212,417*l.*; and he was glad to say, that by reductions which he had been enabled to make since last year in the civil departments, and in the dock-yards, the navy Estimates for the present year would be less by 220,500*l.* than the navy Estimates for the past year. He would next proceed to call the attention of the House to the various departments in which the reductions, amounting altogether to 220,500*l.* upon the estimates of last year, had been made, begging the House to bear in mind that the number of seamen to be required for the service of the present year was precisely the same as that of the last year. He would first read a comparative estimate of those reductions:—The decrease in the estimates for 1833-34—viz., as compared with those for 1830, 1831, and 1832, might be placed under the following heads—viz.:—

	As compared with 1830.			As compared with 1831.			As compared with 1832—33.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Wages to seamen, &c.	115,000	0	0	207,000	0	0	2,300	0	0
Victuals to seamen, &c.	200,000	0	0	210,000	0	0	24,465	0	0
Wages to artificers	52,500	0	0	82,126	0	0	44,000	0	0
Timber and materials	265,000	0	0	408,486	0	0	54,733	0	0
New works	36,000	0	0	148,400	0	0	43,300	0	0
Hired packets	14,000	0	0	10,260	0	0	4,740	0	0
Civil establishments	110,000	0	0	55,865	0	0	28,310	0	0
Other heads of service	144,321	0	0	90,280	0	0	18,652	0	0
Total decrease	936,821	0	0	1,212,417	0	0	220,500	0	0

"The foregoing," the right hon. baronet continued to read, "may be considered as permanent reductions, as a peace establishment, except the number of men, and the purchase of stores and provisions, which must vary from political causes, with reference to the possibility of approaching hostilities. The amount of pensions granted to persons reduced, in consequence of the junction of the Navy and Victualling offices, is £20,234. The expenses for the three months from the 1st of January, to the 31st of March, 1832, were defrayed out of the balance of former years, by a *pro formâ* vote, but without any additional 'Ways and Means."' He would next show what reductions had been made in the Civil Establishments by the Board of Admiralty since the 16th of November, 1830. The right hon. Baronet read the following Account:—

		£.	s.	d.
12	Commissioners, with salaries of	14,200	0	0
1	Paymaster of marines	1,000	0	0
61	Superior officers of yards, &c.	19,712	0	0
37	Inferior officers, ditto	3,885	0	0
102	Clerks	35,276	0	0
213		74,073	0	0

Reductions between the 16th of November, 1830, and the 1st of April, 1832	£45,763
Ditto, since the 1st of April, arising out of the consolidation of the Navy and Victualling-offices	28,310
	£74,073

Of which £16,800 is for salaries of and above £800 a-year;
and £57,273 for salaries under ... £800 a-year.

£74,073

The House would be aware that the whole amount of the reductions would not be immediately saved to the public—a large sum must be deducted, in order to provide for superannuation allowances. But it was not to be concluded, therefore, that the public would not benefit by those reductions. The reduction was permanent, while the payment of the superannuation would be only temporary, and continually decreasing till it was extinguished; and the saving therefore amounted to the difference between an annuity of a less amount, terminable at a short, though indefinite period, and a permanent annuity. He would now call the attention of the House to the debt of the navy: that debt, as the House was aware, arose from this circumstance—that though the payments for seamen were voted annually, they were only paid as their ships arrived from the foreign stations where they were employed, and the long bills that it was the custom to draw for such purpose had been one cause of the increase of that debt. There were also always some arrears of pay due to the officers and sailors, but the best exertions had been made to reduce the debt of the navy. In 1830, it amounted to 1,314,060*l.*; in 1831, to 1,317,724*l.*; in 1832, to 977,179*l.*; and he trusted that he should be able to make a still greater reduction in it this year. The plan by which he proposed to effect that reduction was this—by making the bills, of which he had already spoken, payable at once, instead of being drawn as at present with long dates. He thought he had some right to complain of the cross-fire to which he had been subjected in the course of the debates which had taken place on this subject. By one set of Gentlemen opposite he was blamed for the reductions which he had made in the dock-yards. He was told, that he was proceeding upon the principles of a false economy, and that the interests of the navy and the interests of the country would suffer from such a system of reduction. On the other hand, he was attacked by the hon. member for Middlesex for not doing enough; and he was told, that he ought, to satisfy the House and the country, to proceed much further in carrying into effect the principle of economy. He should, in the first instance, confine himself to the charge which had been preferred against him, of indulging in an indiscreet and uncalled-for reduction of the expenditure connected with this department of the public service. The hon. member for Cambridgeshire (Captain Yorke), on the 14th of February, made the following observations:—'He admitted 'that the right hon. Gentleman, the First 'Lord of the Admiralty, had reduced the 'expenditure of the navy; but he impair'ed its efficiency. He knew, from his 'own experience, that the efficiency of the 'navy was impaired by the reductions ef'fected by the right hon. Gentleman. That 'right hon. Gentleman had saved one million on the whole expenditure; but that saving was effected on the most useful part of the naval force. It was effected by the reduction of 1,000 marines, and of 4,000 seamen, and by diminishing the expenditure on naval stores by 400,000*l.* He had seen the dock-yards at Portsmouth within the last six weeks, and he never saw a dock-yard so clean swept. There were neither stores, nor timber, nor masts, nor cordage. He believed, that if a line-of-battle ship were to put into that harbour with the loss of a mast, there would not be a lower-mast ready for her, nor even a top-sail-yard. He thought it the duty of the Government to look not only to the saving, but to the efficiency of the service.'* On the very day after this charge was made, he sent an order down to Portsmouth for a return of the stores of the description referred to by the hon. Member then actually there, and the following return was immediately transmitted to him:

An Account of Masts, Yards, Rigging, Sails, and Stores, &c., in Portsmouth-yard.

	Total Number.
SHIPS OF THE LINE.	
Lower masts	45
Top masts	70
Yards, lower	27
——— topsail	51
Bowsprits	16
Rigging and blocks (fitted complete)	13 sets.
Sails (fitted complete) ...	16 suits.
—— in store (not fitted) ...	4 —
Anchors	211
Chain cables	40
Fire-hearths	45
FRIGATES.	
Lower masts	32
Top masts	42
Yards, lower	15
——— topsail	32
Bowsprits	8
Rigging and blocks (fitted complete)	5 sets.
Sails (fitted complete) ...	2 suits.
– – in store (not fitted) ...	6 —
Anchors	193
Chain-cables	62
Fire-hearths	38
SLOOPS.	
Sails (fitted)	7 suits.
—— (not fitted)	3 —
Anchors	210
Chain cables	168
Fire-hearths	61
Boats of sizes	138
Iron water-tanks for ships ...	3,613
—— ballast	21,346
Cables and cordage	1,053 tons.
Ditto, ditto, in yarns ...	1,601 hauls.
Hemp	2,794 tons.
Canvass	7,638 bolts.
Tar	3,626 barrels.
Pitch	880 barrels.
Tallow	495 cwt.
Oil, train	5 tuns.
Coals	5,247 tons.
Copper in bolts	98 —
——— in sheets	52 —
——— old, for re-manufacture	186 —
Iron bolts, fats, &c.	611 —
Lead	68 —
Timber, English oak ...	4,802 loads.
——————— elm ...	703 —
Timber, foreign, oak and teak	12,826 —
———————, fir	1,251 —
———————, elm ...	124 —
Thick stuff, English ...	209 —
—————, foreign ...	326 —
Plank, English	286 —
——— foreign	321 —
Spars for masts, large ...	218
—————, small ...	142
Spars for hand masts ...	1,692
—— for yards	40
—— for bowsprits	23
—— for oars	1,401
—— small Norway	4,986
Deals, deck	5,127
——— ordinary	41,439

He should not attach much importance to the charge which had been thus incidentally preferred against him by the hon. member for Cambridgeshire; but as a similar charge had been preferred against him by a noble Duke in another place just at the close of the last Session he felt called upon to give an explanation to the House. He was ready to acknowledge, that though it might be right that the people of foreign countries should not be minutely acquainted with the amount of stores in our naval yards, yet, as there was no danger of our ever being inferior to any other country in the case of a naval war, he thought it due to himself, and not likely to be injurious to the public interests, to make a frank and plain statement upon the subject. He would just, in the first instance, state the average expenditure for materials and stores when the noble Duke that had made the charge left office, and the average expenditure on the same account upon the 31st of January, 1832. He would confine himself to those articles which it was necessary to keep in store. Commencing, then, in the first instance, with ship-building timber, the number of loads in store, in 1830, was 56,633, and the expenditure was 15,401 loads. In 1831, the number of loads in store was 67,329, and the expenditure was 11,331. In 1832, the number in store was 64,023, and the expenditure 12,406; showing a difference of 9,565 loads more in store on the 31st of December, 1830, than upon the 31st of December, 1829. Then, of hemp, including yarn, the average annual expenditure of which for these four years was 2,347 tons, there were in store, in 1829, 9,950 tons; in 1830, 7,394; in 1831, 11,706; in 1832, 11,416, showing an increase of 1,466 tons. Of cables and cordage, the annual average expenditure of which was 2,069 tons, there were in store, in 1829, 3,388; in 1830, 3,500; in 1831, 3,746; in 1832, 3,649; exhibiting an increase of 261 tons. Of canvass, of which the annual average expenditure was 19,191 bolts, there were in store, in 1829, 38,121; in 1830, 33,667; in 1831, 43,069; in 1832, 36,041; decrease on 1829, 2,080. Anchors, annual average expenditure, 470¼; number in store, in 1829, 2,304; in 1830, 2,509; in 1831, 2,538; in 1832, 2,516; increase in 1829, 212. Chain cables, annual average expenditure, 250: in store, in 1829, 641; in 1830, 724; in 1831, 748; in 1832, 780; increase in 1829, 139. He would next proceed to what was of considerable importance, in relation to the observations of the hon. member for Cambridgeshire, because on the deficiency of spars and masts, in stores, the hon. Member chiefly grounded his charge.

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* Hansard (third series) xv. p. 692-3.

LOWER MASTS IN STORE.

	Ships of the line,	Frigates.
In 1829	38	34
1830	32	39
1831	21	45
1832	31	40

TOPMASTS IN STORE.

In 1829	396	359
1830	367	377
1831	334	379
1832	446	389

SPARS FOR TOPMASTS IN STORE.

In 1829	297
1830	283
1831	252
1832	349

SPARS FOR LOWER YARDS.

In 1829	601
1830	516
1831	498
1832	583

Having gone through the various items, he hoped it would be apparent to the House, that the interest of the country had not been neglected by leaving the naval arsenals deficient of the means of fitting out our fleets. So far from there being a general diminution of the stock, there was, with a single exception, an increase of every article. He would next refer the House to the sums that had been expended in stores in the three years of the noble Duke's Administration, and to the sums that had been expended in the two years subsequent to the present Ministers coming into office, with also the amount that would be expended under the present Estimates. The right hon. Baronet then read the following table of the sums of money paid for the purchase of stores in the years 1828, 1829, and 1830; and in the years 1831, 1832, and 1833:—

1st of January to the 31st *of December.*

1828	£560,498
1829	649,476
1830	588,346
	£1,798,320
1831	923,820
1832	530,000
1833	492,290
(Estimate for 1833.)	£1,946,110
Increase in the last three years	£147,790

Some doubts had been thrown on the quantity of victualling stores purchased, and with a view to showing the accuracy of those doubts a Return had been moved, for, which showed that the consumption of victualling stores last year exceeded the quantity purchased, to the amount of 46,900*l.*; but if the Return had been extended to two years, it would have been seen, that the excess purchased in two years amounted to 38,537*l.* He would read to the House, in order to show, that the purchase of stores exceeded the consumption in the last two years, an account of provisions and victualling stores purchased and consumed in the years 1831 and 1832.

	Purchased.	Consumed.	Difference.	
			Less consumed than purchased.	More consumed than purchased.
	£.	£.	£.	£.
Provisions and victualling stores... for all services, 1831 ...	677,515	592,041	85,474	—
Ditto, 1832	537,800	584,737	...	46,937
Total in 1831 and 1832	1,215,315	1,176,778	85,474	46,937
Consumed less than purchased ...	...	38,537		
	1,215,315	1,215,315		

Note.—The prices of 1831 are taken at the same rate as 1832, except for salt meat, which was £4. 15*s.* 3*d.* per tierce in the former year, and £5. 19*s.* 8*d.* in the latter, amounting to £25,287.

It might be said, he observed, that this was a fallacious proof, and that the proper way to have an accurate return on the subject would be to have an account, not of the stores purchased, but of the stores issued. If the hon. member for Cambridgeshire wished to have such an account, and moved for it, he (Sir J. Graham) would be most ready to let him have it. It was true, that there were more victualling stores consumed in the last year than purchased, but the fact was to be explained in this way. There was a large quantity of salt provisions always kept in store for the army and navy on foreign stations, which, from being kept too long, frequently caused a great loss to the public. In consequence of that fact, the Admiralty had last year come to the determination not to purchase so much of that description of stores, as had been purchased in former years. He would also mention other articles of stores, in the purchase of which a reduction had been made in consequence of the consumption of such stores being in no degree proportioned to the large supply of them that was actually in store. He felt almost ashamed to trouble the House by entering into such details; but he thought it expedient for the purpose of rebutting so grave a charge as that which had been brought against the Board of Admiralty on this head. He would, therefore, now proceed to point their attention to some particulars relative to the stores which were purchased on account of the Board of Admiralty. They were compelled, by existing contracts, to take a certain quantity of pipe staves, and the quantity, reckoning on the average of the consumption of a certain description of these during last year, would last 808 years; the stock of butts would last 535 years. The quantity of hoops would last 900 years. If the hon. member for Cambridgeshire would say, that the articles to which he referred —iron hoops, butts, &c., were an unfair specimen upon the subject, he would refer him to the article of salt provisions, to which he had already alluded. He would just mention an instance with regard to that description of stores to show how, by over-purchasing, the public were finally losers. He found, on looking back to the year 1816, that in that year there was serviceable salt meat sold by auction out of the navy stores to the amount of 10,357 tierces, which fetched 22,662*l.* It might have been very well if there was too much of that provision in store at the time to sell it out, though it would have been much more advantageous to the public, that it had not been bought at all. He found, however, on referring to a subsequent period of the same year, that 13,000 tierces had been purchased for the navy at a cost of 68,250*l.*, thus making a loss to the public upon the transaction of no less a sum than 45,588*l.* The rule which he had laid down and acted upon with regard to the purchase of victualling stores was, to keep up a certain proportion of those articles which could not be got immediately in the British market; with regard to the articles which could be obtained in our own markets, Irish beef and pork were the only ones of which it was necessary to keep a considerable stock on hand, and the Estimates provided for the purchase of articles of that description for the navy and army to the amount of about 148,000*l.* He would next state the reductions which Ministers had made in the half-pay expenditure of the navy, and that would he hoped satisfy the hon. member for Middlesex, that his repeated admonitions on this subject were not so very necessary as he was pleased to suppose. The right hon. Baronet then read the following table:—

Half-pay of all officers in the Navy in the years 1829, 1831, *and* 1833.

	£	s.	d.
1st of January, 1829	1,023,248	0	0
———— 1831	1,022,013	0	0
Less in two years	1,235	0	0
1st of January, 1831 ...	1,022,013	0	0
———— 1833	980,370	0	0
Less in two years	41,643	0	0

The House would see from this table, that his Majesty's Ministers had, in the course of the two last years, reduced that portion of the expenditure by 41,643*l.*; that was to say, at the rate of about 20,000*l.* a-year. He did not wish to claim the credit of this for the existing Administration, as it arose out of a regulation which he found in existence at the Admiralty on coming into office, and that regulation was, that only one officer should be promoted upon the occurrence of every three vacancies. He merely claimed credit for the present Government for having rigidly adhered to that rule, and the result was, the reduction he had already mentioned. He should now return to the objections which had been urged by the hon. member for Middlesex in reference to the promotions in the navy. He would take three periods —1828-29, 1829-30, and 1831-32, and state the number of promotions that occured in those several periods. In 1828-29 213 midshipmen were promoted to be Lieutenants; in 1829-30, 152 were promoted to be Lieutenants; and in 1831-32, 88 were promoted to be Lieutenants. In 1828-29, 130 Lieutenants were promoted to Commanders; in 1829-30, 100 Lieutenants were made Commanders; and in 1831-32, only 31 were made Commanders. In 1828-29, 57 Commanders were made Post-Captains; in 1829-30, 51 were so promoted; and in 1831-32, there were only 17 promoted to that rank. It should be recollected, that on the accession of his present Majesty, in 1830, there was a flag promotion; and it was expected, upon his Majesty's Coronation in 1831, that a similar promotion would have taken place; but his Majesty's Ministers did not feel it consistent with their duty to the public to recommend it at that time. The next point to which he wished to direct the attention of the Committee was the number of labourers and artizans employed in the dock-yards. In 1830, the total number employed was 7,634. In 1832 the number was reduced to 6,683—that was to nearly one-seventh of the whole employed. The reduction of wages to the artificers employed in the dock-yards, at home and abroad, in the present Estimates—as compared with the Estimates of last year—was 44,000*l*. He trusted, that such arrangements would be made as to effect still further reductions in this part of the Estimates. He was sorry to detain the House at such length; but when so many charges were made, he considered it inconsistent with his duty to leave any of those topics untouched. He would next state distinctly to the House, but certainly with regret, that on a review of existing circumstances, and after the best consideration they had been able to give to the subject, his Majesty's Ministers felt that it would be inconsistent with the honour and safety of the country to propose a reduction in the number of seamen for the present year. On the most grave consideration, and with a view to all the circumstances of the case, they felt it their duty to propose the same number of seamen as was voted last year. The number voted last year was 18,000 seamen, and the number actually employed was about 19,000; the number of marines voted was 9,000, and the number employed about 8,000. There were three vessels of war about to be paid off, which would reduce the number of seamen employed, precisely to the number voted. And he must observe, that although a greater number had last year been employed, than was actually voted, no debt had been incurred. With reference to the observations of hon. Members, that they should like to see a balance-sheet of the naval expenditure. He certainly took credit to himself for the introduction of the principle of laying a special balance-sheet before the House every year. The act for that purpose would not come into operation for the first time as regards the final accounts till January, 1834. In the mean time a provisionary account would be prepared as soon as the financial year ended, upon the 31st instant; and thus the House would be put in possession of the manner in which the money had been last year applied at the moment they were about to vote the Estimates for the current year. As complaints had been made by the hon. member for Middlesex of sufficient reductions not being made in the navy, especially in a time of peace, he would just state to the House what was the total number of ships of war possessed by this country at present, compared with two antecedent periods. In doing so, he felt no apprehension at communicating such information, as there was no naval power in the world of which this country could be afraid. He held in his hand a statement of the amount of our naval establishment from the Revolution in 1688; but he would confine himself to a statement of what it was in the year 1778, and in the year to which the hon. member for Middlesex was so fond of referring. In 1778 the total number of vessels which we possessed was 440; the total number which we now, in 1833, possessed, was 348, being 92 less than in 1778. The total number of vessels of war we possessed in 1793 was 488, making 140 more than we possessed at the present moment. He must add, that though the number of vessels was less, the proportion of vessels of a large size had been greatly increased, and that the number of men necessary to be employed was also much greater. He would mention what was the present naval force of France, Russia, and America. France, at the present time, had thirty-four sail of the line and thirty-seven frigates; Russia thirty-six sail of the line and twenty three frigates; and America eight sail of the line and ten frigates. If to that, the naval force of all other states were added the whole number of ships of the line possessed by the maritime states of the civilized world would be 114 with thirty-two on the stocks. He would not mention the precise amount of our force; but would merely state, that we had more at sea and fewer building than any other naval power. It would be perceived, then, from this statement, that this country had nothing to apprehend from an inferiority in her maritime force. In reply to other objections which the hon. member for Middlesex had raised against the naval Estimates, particularly the objection on which he had upon a former occasion differed so much from the hon. member for Middlesex; namely, the necessity of being provided with timber and stores in our yards to meet any sudden emergency that might arise, he could not do better than read the following extract from the report of the secretary of the American navy to Congress, dated no longer ago than the 3rd of December last. It embodied an admirable answer to the cavils of those who were carrying reduction to an extent that would be really injurious to the service. (Here the right hon. Baronet read the following extract from the report in question:—) "The property on hand at the several yards, consisting chiefly of timber, iron, copper, and arms, continues to increase in amount. The whole now exceeds in value the sum of 5,579,917 dollars (B). Independent of what is provided for repairs of vessels, we have on hand the frames for four ships of the line, seven frigates, four sloops, and three steam batteries; 900 tons of iron, 458 tons of copper, 93 tons of lead, 2,232 cannon and carronades 3,504 muskets, about thrice as many pistols and cutlasses, 228,908 round and double-headed cannon balls, besides grape and canister; 35,600lb. of powder, 198,382lb. of sulphur, and about double that quantity in nitre. For further particulars under this head reference may be had to the annexed report (C). Increased attention has been bestowed on the due arrangement and preservation of all these materials, and new securities for their proper use, and the accountability for them, will probably be introduced into the revised naval regulations now preparing. Without much previous attention to the extent and quality of these materials it will never be in our power, in any future emergency, to develop suddenly, and employ efficiently, the great naval capacities of this country for annoyance of an enemy and for protection to our commerce, as well as for maritime defence. The Act of Congress for the gradual improvement of the navy will expire next March; and this occasion is seized to recommend the continuance of its appropriations for the purchase of these materials, as well as for other valuable purposes, at least six years longer. If these materials are gradually collected, and well preserved, in such quantities as to enable us, in addition to the force usually in commission, forthwith, in any crisis, to put our vessels that may be in ordinary and on the stocks into a condition for active and efficient service, and to build and equip suitably such other vessels as our great commercial marine will assist us fully to man, we shall then exercise that true foresight and that sound and sagacious economy in respect to this branch of the public service which all experience of our own and other nations recommends, and which the present flourishing state of our country justifies. Without any increase of the number of seamen actually serving in the navy during peace, every sailor on our 2,000 miles of seaboard, on our noble rivers and vast lakes, can then be considered as in a course of training to man the numerous vessels of war which our interests, our rights, and our honour, may at any future period require us to arm; and our countless steam-vessels on the navigable waters connected with some of our frontiers could then, in an emergency, be at once supplied with the proper munitions of war, and be so far equipped as floating batteries that they would furnish new and powerful aid, not only in the rapid transportation of men and stores, but in repressing hostile depredations near our shores, and in repelling an invading foe. Though nominally, as to vessels in commission, only the fifth or sixth naval power in the world, and not expending over one-eighth of the annual amount paid by some nations to maintain a naval establishment, yet, if we look to the true elements of naval power, to our ships in ordinary and on the stocks, to our materials for building and equipment collected and collecting, to our large commercial marine, whether of merchant vessels or steam-boats, to our flourishing fisheries, our extended sea-coast, and excellent harbours, to our large number of navigable rivers and inland seas, and, at the same time, to our position with regard to other nations, with few neighbours bordering on us by land, and an ocean rolling between us and most of the governments with whom we are likely to have collision it must be manifest that our greatest exposure and danger are on the water, and that our means of attack and defence there, if duly husbanded and developed, will probably always prove equal to sustain us with credit in any hostilities into which the convulsions of the world may hereafter plunge our peaceful confederacy." He repeated, that he could not employ more pointed terms in replying to the hon. member for Middlesex than were laid down in that report. He agreed entirely with the American secretary as to the propriety of preparing in a season of tranquillity for the future emergencies of war. He now came to the immediate vote which he was about to have the honour of proposing to the Committee. It was proposed to vote for the service of the year 18,000 seamen and 9,000 royal marines, that most valuable and double-handed force, which was equally available at sea and ashore. Below this it was not proposed to reduce the naval establishment of the country. The hon. member for Middlesex said, that he would refer to the statement of Sir George Cockburn before the Finance Committee, in order to show that it was the opinion of that gallant Admiral, that, in 1828, the navy might safely be reduced to what it was in 1792. The number of seamen voted in 1792 was 17,038. It must be recollected, however, that we were at present obliged to keep up a naval force, both at the Cape of Good Hope, and on the South American station at neither of which places, in 1792, had we any naval force whatever. The number of seamen employed on those two stations was 5,000. There were also 800 men employed in the packet-service and if these two numbers were added to the establishment of 1792 our force compared to the employment for it would be actually less than in 1792. He had now, fairly stated to the House the reasons which induced him not to propose any reduction of the naval Estimates on the present occasion. The hon. member for Middlesex had said, that at the present time, in a period of profound peace, there were no reasons for keeping up such a naval establishment. He altogether differed from that hon. Member. He thought there were many reasons for our keeping up a large naval force. Whether we considered the importance of our East-Indian Empire, and the necessity for its security of maintaining a fleet in the Indian seas—whether we considered the importance of keeping up on the coast of South America for the protection of British Commerce, a naval force equal to that of France and the United States—whether we considered the importance of protecting our fisheries and our West-India Colonies—whether we considered the importance of having a naval force on the coast of Africa to prevent the revival of that detestable traffic in human beings which it was so highly to our honour that we had done so much to put down—whether we considered the importance of preserving our naval superiority in the Mediterranean, that scene of the frequent triumph of our flag—whether we considered the importance of maintaining a moderate naval force on our own shores, for the purpose of affording regular relief to foreign stations—we must feel that there were many grave and serious considera-ations which should operate to prevent us from diminishing our strength so extensively as to endanger the interests and honour of the country. He was well aware that that House was pledged to public economy but he was quite sure that he should not call upon them in vain for such a measure of expense as was indispensable to preserve those interests and that honour. It was upon the maintenance of her naval power that Great Britain depended for her national character, and even her national existence. Let but her naval superiority be once lost, and owing to her insular position, and to various other circumstances, she could no longer maintain her present high rank in the social system—she must necessarily fall into the place of a second-rate power. On the other hand if we maintained our navy as it ought to be maintained, we should have nothing to fear, and England must always be what she is at present, first among the nations of the world. The right hon. Baronet concluded by moving, "That it is the opinion of this Committee that 27,000 men, including marines, should be voted for the service of the navy for the thirteen lunar months ending the 31st of March, 1834."

Captain *Yorke*, referring to the statement of the right hon. Baronet, in answer to a former statement of his (Captain Yorke's), respecting the want of spars and masts in the yard at Portsmouth to supply those injured in men of war coming in to be refitted, could only say that his statement was made from ocular inspection and he was convinced that the masts to which the right hon. Baronet alluded, could not have been in that part of the yard which he had seen and where they were generally deposited. They must have been elsewhere. He had more than once had occasion to object to the practice adopted in the dock-yards in fitting out ships. On almost every occasion it was found that the necessary spars were wanting. He had made this statement on a former occasion, and if the right hon. Baronet could contradict him let him do so. Why, he would ask, ought there not to be in the different dock-yards a sufficiency of spars for the different ships which came into repair. As a proof of the accuracy of his statement, he would mention, that when the Spartiate, on coming into port, was obliged to have all her lower masts taken out, the Nelson's foremast was placed in her as a mainmast. Now it might be the practice for ships in ordinary thus to afford the means of supplying masts and spars that were suddenly required. He was not however aware that such was the practice and he thought the double operation both inconvenient and expensive. Much had been said about masts and spars, and though he was one of those who thought there ought to be a sufficient supply in the different dock-yards, he never meant to go the length of saying that there ought to be forty-two lower masts in any one of those establishments, but surely it was not too much to expect, after, for instance, a cruise in the North Sea, and requiring a refit, a vessel should find at least three or four masts and yards ready for her when she got into dock. They had, indeed, been told that there were at present double the masts and yards to be found in the dock-yards to the quantity kept in them at any former period. But this he denied. The right hon. Baronet said, that there were more stores in the dock-yards than when the Duke of Wellington's Administration terminated. When the right hon. Baronet came into office in 1830, there was a great accumulation of stores, owing to apprehensions which were entertained at that period of the possible disturbance of the peace of Europe; and those stores, as well as the surplus of 130,000*l.* had been employed by the right hon. Baronet in the naval service. There could be no doubt that every saving that was compatible with the efficiency of the service ought to be effected; but he was convinced that the system now pursuing by the right hon. Baronet would in the end be ruinous to the public service. The consolidation of the Boards, which had taken place last year, had been attended with much inconvenience. Under the existing system introduced and carried on by the right hon. Baronet, officers were kept continually going from the Admiralty to Somerset House, and from Somerset House to the Admiralty; in room of which he thought it would be much more advisable to adopt the regulations of Sir George Cockburn, that of having two Boards. Of the abolition of the College of Naval Architecture after the manner in which the right hon. Baronet had treated the students he could but approve. The appointment of Captain Symonds, a naval officer, to a situation which was naturally looked up to by the regularly trained and experienced shipwrights of the King's yard, was, in his opinion, inexpedient, and a gross act of injustice to all those young men. He would now make a few comments on another and a recent proceeding of the right hon. Baronet's; and in doing so he would apply his remarks to the principle of that proceeding, and not to the individual immediately affected by it. It had been lately held by the right hon. Baronet that a naval officer commanding on any station was thereby incapacitated for being a Member of that House. This was doctrine which he (Captain Yorke) had never before heard successfully maintained. He had always understood that an English officer if properly qualified in other respects, had an undoubted right to offer himself to the choice of any body of his countrymen as their Representative. The right hon. Baronet had in this respect proceeded on the principle advocated by the hon. member for Middlesex, who, however, had contradicted that principle on a recent occasion on which he had presented a petition to that House. How was it that at the time that the right hon.

Baronet refused to give Sir Harry Neale the command of Portsmouth, upon the ground of its being inconsistent with his duties as a Member of that House, he allowed Sir Thomas Trowbridge, being also a Member of Parliament, to continue in the command of a frigate? Surely, the two duties were as inconsistent in the one case as they were in the other; and if the principle upon which the right hon. Baronet professed to act were good for anything, would it not have looked quite as well if he had put it in force in the case of a supporter, as well as that of an opponent of Government. When a naval officer, or any officer engaged in the service of the country, came before a body of constituents with a full and perfect understanding of the liabilities to which his situation might subject him, those constituents, of course were at perfect liberty to choose or to reject him as their representative in Parliament. If they elected him it ought to be no bar to his appointment to any situation, such as that of Port-admiral, which would not carry him beyond the shores of England. But in every point of view, the right hon. Baronet's conduct in this instance had been perfectly inconsistent; for having refused the appointment to his gallant friend because his duties here would render it impossible for him to be constantly present, the right hon. Baronet appointed another Admiral Commander-in-chief at Portsmouth; and the gallant officer immediately received leave of absence for six months. He should like to know how far the right hon. Baronet's principle was to extend. Would he refuse to appoint a Peer of the realm to the command at a seaport, because he would have duties to perform in Parliament? The right hon. Baronet's conduct appeared to him to be without a precedent. It was wholly unnecessary (and on previous occasions it had never been held to be necessary), that a naval officer, holding the command at a sea-port, should be compelled to be constantly present. He had always under him a flag-captain capable of doing the duty when he was not present; and from time to time it had always been permitted to the Port-admiral to be absent on leave. But if this were allowed in former times, how much more consistently might it be permitted now, when the right hon. Baronet had placed a second flag at Portsmouth, with all the powers in the absence of the Commander-in-chief, to perform the duties which belonged to him. Then he must beg leave to ask for what reason it was, that the situation was refused to his hon. and gallant friend? It was not necessary for the Commander-in-chief at a seaport to be constantly present; it had not been the custom heretofore, and it was perfectly unfair and unjust on the part of the right hon. Baronet, to insist upon constant residence. A British officer had a right to sit in that House if he could procure a seat; and, having one he should not be prevented from holding such a situation as that of Port-admiral. The hon. and gallant Member said, he must also comment upon an order of the Admiralty, which permitted seamen who were dissatisfied with their condition in any vessel to apply for an exchange; and he must maintain that the tendency of such an order was to destroy all discipline. Every officer, he observed, knew how difficult it was to discipline a crew, and must feel how utterly impossible it would be to keep a ship in an effective state for service if sailors, who were notorious for their love of change, were allowed to shift about at their caprice from one vessel to another. He should be very happy to hear that the order to which he alluded should be rescinded.

Sir *John Pechell* felt himself called upon to reply to the observations which the hon. and gallant Member had made with reference to the state of Portsmouth dock-yard. The gallant Officer stated that there was not the means of supplying a ship of the line with a lower mast, without taking it out of a ship in ordinary,—an expensive process which would not have been necessary, if proper care had been taken to provide a certain number in the dock-yard. As a measure of economy as well as of expediency the process objected to had an advantage. The masthouses in the dock-yards were not intended to be store-houses, and it was found necessary to place the spare masts in ships in ordinary, from whence they could be removed as occasion required. It would be apparent to the House that these masts must decay if not occasionally supplied to such ships as required them, instead of those ships being supplied with new masts from the store in the dock-yard. If the gallant Officer had looked under water as carefully as he appeared to have looked in other places, he would have discovered a quantity of materials equal to any casualties which might arise. In his endeavour to censure the present Board of Admiralty he had indirectly censured his own friends whose stock in hand had been reduced at the present time by only two or three masts. With reference to the order issued to the Commanders-in-chief upon the home stations, authorizing them to discharge such seamen from the ships under their command, as might wish to quit their ships with the sanction of their respective captains; it was still in force. It was given to enable seamen who could better their condition, or were discontented, to quit the service, at a time when there was a large number of seamen out of employment, and anxious to rejoin the service. By such, as well as other regulations, which had been made from time to time, the naval service of this country had become so justly popular, that he had no doubt if any emergency should arise, which would require an extension of our naval force, a fleet might be equipped without having recourse to impressment.

Sir *Edward Codrington* said, he believed that the dock-yards were in a greater state of efficiency at the present moment than at any previous period. With respect to pensions, he must observe, that the clamour which was raised against the pensions given to officers who had long and faithfully served their country in active service, was most unjust; and the more especially so when the larger amount of the retiring incomes of those persons who had been connected with the civil service of the country was considered. What was greatly wanted was, that pensions should be fairly bestowed, and only given to those who had earned them by their services. In looking over the list of pensions and allowances, he found it stated, that the hon. G. A. C. Stapylton received 1,000*l.* a-year, for fifty-nine years of service; and Mr. John Jackson, Master-attendant at Plymouth, 443*l.* for thirty-two years of service. He knew that both these gentlemen were in service forty-three years ago; and he did not understand the reason why, in the one case, the number of the years of service was increased; and in the other decreased. He also saw the name of Mr. Marshall W. Clifton, to which a pension of 660*l.* a-year was attached for twenty-seven years of good service. He really did not believe that the gentleman was old enough to have served that term; and yet the 660*l.* a-year, which he received was pretty nearly 100*l.* a-year more than he (Sir Edward Codrington) was entitled to, who had been in the service of his country since 1785. He could assure the House that the way in which pensions were bestowed created a feeling of great dissatisfaction throughout the service. The late Secretary of the Admiralty was entitled, at the end of five years' service, to retire with a pension of 1,500*l.* a-year. Now, he asked the House on what ground could the grant of such a large pension as that be justified? He did not think that the circumstance of that gentleman having been in the receipt of a great income when in office was any reason for giving him a large annual allowance on his retirement. He repeated, he knew not what right the Government had to give that gentleman so large a retiring allowance, But this was not all. He found that Miss Rosamond Croker also received out of the public purse 300*l.* a-year. Now, he would state a case to the House, to which he begged to call their serious attention. It was the case of a lady, the sister of three distinguished officers, all of whom died while engaged in the active service of their country. She was left with the children of one of her brothers to provide for, and she was also obliged to contribute to the support of an aged father: yet not one farthing did the Government, even after repeated applications, grant to that lady, in consideration of the services of her gallant relation, until his present Majesty was appointed Lord High Admiral when, by his kindness, she was put in possession of 50*l.* a-year. Now he begged to put the case of this lady in contrast with that of Miss Rosamond Croker. The rule seemed to have been to give the largest pensions where the least services had been performed; but he hoped the contrary principle would be acted upon in that Reformed Parliament. Sir Robert Seppings, a man who had saved the country hundreds of thousands of pounds, and who had been in the service upwards of fifty years, was put down as having served only thirty-nine years, in order that his pension might be reduced to 760*l.* The gallant Admiral next called the attention of the House to the condition of the pursers in the navy, whom he described as a most valuable class of persons, and regretted that their claims were not sufficiently attended to by the Admiralty. He instanced several cases of these officers, after the discharge of laborious and important duties for a space of forty years, being put upon a retiring allowance of only 4*s.* a-day. An order was given at the end of the war that no promotion should take place among this class of officers, until the number of ships and of pursers became equal. But what did the Government do? They sold off the ships, but not the pursers, and consequently all hope of promotion for them was lost, and they were reduced to the condition of captains' clerks. He recollected that one of these officers, of the name of Wickham, was with him at the battle of Navarino. He wanted some person to carry an important message, and a man, covered with blood came limping to him, and received his directions. He employed the same person two or three times on a similar errand, and on making inquiries he learned that this individual was the captain's clerk. He had received five wounds, and had several times gone to get them dressed, but had as often retired on observing that the surgeon was engaged in attending to the cases of his equally unfortunate shipmates. He requested the captain of the ship to see that he was properly looked to; but eight months elapsed before he could even be discharged from the hospital. This man had been round the world with Captain Parry, and was the life and soul of the ship's company during the winter in which they were enclosed in the ice. He contributed to the amusement of the crew, by his compositions both in poetry and prose, and he remained to the present moment a captain's clerk, without any prospect of promotion, though he (Sir Edward Codrington) had not failed to exert himself in his behalf. As another instance of the conduct of pursers, he would name Mr. Kerigan—many years a captain's clerk with him, and who had latterly composed the best book upon nautical astronomy that ever was published. His first work was placed before the Board of Longitude by that great and good man, the late Dr. Wollaston. The Secretary to the Admiralty—not knowing at whose instance the book was placed upon the table—seeing upon the title-page the words "Thomas Kerigan, Purser," immediately exclaimed, "What have butter and cheese (alluding to the writer's situation as a purser) to do with astronomy and navigation?" The Board would not sanction a work coming from such a source, and the book was immediately withdrawn, and a new title-page substituted, at a loss of no less than 300*l.*, and all for the sake of getting rid of the obnoxious word "purser." And why was that name obnoxious? Merely because a purser's pay was 3*s.* a-day, and no more. Not because the parties were not entitled to more, but simply because they were limited to that small stipend as the reward of their services. He had no doubt that he should be told that pursers frequently made their fortune. That might be the case during the war, but the per centage allowed them had been greatly reduced since that period. He did hope that the First Lord of the Admiralty would turn his attention to the situation of this neglected class of persons, and do them something like justice. If pensions were taken from the undeserving, there would be plenty of money to bestow on the meritorious. There was another point with respect to which he should like to see some reform effected, and that was the power assumed by the Admiralty, on the one hand of dismissing officers against whom no charge had been brought before a Court-martial, and on the other, of retaining them on the list in the teeth of a verdict pronounced against them by a Court-martial. Of the improper manner in which this power was exercised, he would cite two instances, one having reference to a gentleman of high character, and the other to a man of no character at all. In 1819, Mr. George Booth, who had been a purser for twenty-seven years, sent into the Admiralty a certificate of his service, signed by Lord Exmouth. On attending at the Admiralty, he was, in consequence of some incorrectness in the signature, charged by Mr. Croker with forgery, and happening to be somewhat of an irritable disposition, he obliged Mr. Croker to retire, notwithstanding George Cockburn came to his aid. Well, this gentleman, because he would not quietly submit to be called a forger, was erased from the list, and was only restored in consequence of a remonstrance made by an hon. Member of that House, who threatened to bring the case before Parliament. The other instance he would allude to was of a very different description. It was the case of a purser who was convicted of robbery by a Court-martial, and who was, notwithstanding, reinstated on the list two years after his conviction. Now, whether it was right or wrong for the Admiralty to possess this power, there could be no doubt that the mode in which it was exercised was exceedingly improper. In his opinion, no officer ought to be erased from the list until he was condemned by a Court-martial. He recollected the time when it was in agitation to take his name off the list, because he would not submit to the censure which was cast upon him. Had a Reformed Parliament been in existence at that period he would have been the first to stimulate inquiry into every part of his conduct, but unfortunately from former Parliaments very little justice was to be expected. They were Parliaments without responsibility, and it was well known that officers were obliged to bear with the most unjust aspersions on their character. Assertions highly derogatory to his character as an officer, had been made by a right hon. Gentleman below him (Sir Robert Peel). His character was his all; his conduct was known to his profession; he defied mortal man to point out a portion of it which deserved such imputations; and he trusted that to the hour of his death he would stand on the same fearless and irreproachable footing before his country. Imputations had been thrown out by the right hon. Baronet, which, among other unfounded statements, went to assert, that if he (Sir Edward Codrington) had obeyed the orders sent to him by the Admiralty, the battle of Navarino would not have occurred. In April, 1828, it was stated in this House, that the Egyptian fleet, with some 16,000 Greek slaves on board, had been allowed to pass through the combined squadron for Alexandria. That statement, made a great sensation at the time; and the right hon. Baronet, being from his situation, under the necessity of replying to it, stated, (he was quoting from *The Mirror of Parliament*), that upon this point, he could assure the House, that within eight-and-forty hours after the intelligence of the fact reached this country, communications were made to the British Admiral, and a full inquiry was directed to be instituted for the purpose of ascertaining under what circumstances the Egyptian fleet had arrived with those unfortunate people on board; and then he added, that if the instructions of his Majesty's Government had been strictly acted upon, the transaction— namely, the removal of Greek slaves —which had given rise to the discussion, could not have taken place. He first saw this statement in *Galignani's Messenger*, and, of course, was not a little surprised at it. So far from his having received instructions, dated within forty-eight hours of the event alluded to, the despatch which he received from Government was dated twenty-eight days after the receipt of the information, which he had transmitted respecting the Greek slaves, and contained no authority whatever to prevent the transmission of Greek slaves, nor a single word in reference to such transactions. The only allusion to the subject was in reference to circumstances of some years standing, when the gallant Officer whom he succeeded was in command of the station. He therefore felt himself bound to call upon the right hon. Baronet (Sir Robert Peel) to either disown, defend, or explain, the assertions imputed to him by the *Mirror of Parliament*, and which conveyed most unfounded aspersions on his (Sir Edward Codrington's) professional character, and had remained uncontradicted up to that moment. With respect to sinecures, all he would then say was, that he conceived the principle which had been urged in that House of granting a specific sum as the special reward of eminent services, such as those of Sir Thomas Foley, and Lord de Saumarez, for example, worthy of consideration, provided the choice did not remain solely with the First Lord of the Admiralty. If it were made compulsory on that officer to propose a vote for eminent services, he should prefer that mode of extraordinary remuneration to a sinecure appointment, but if it rested solely with him he should prefer the present mode. He had some remarks to offer also on the system of intrusting the command of the Marines to officers of another service, which he should submit on a future occasion.

Mr. *Goulburn* should not have said one word on this occasion, but for what had fallen from the hon. Admiral, who had thought fit to cast an imputation upon a a right hon. Gentleman no longer a Member of that House. As his right hon. friend was absent when thus attacked, and would have no opportunity of replying to that attack in the place where it was made, he thought it his duty to say a few words in answer to it. [Sir *Edward Codrington* said, he wished an answer from the right hon. Baronet, who was there to answer for himself]. He had not had the presumption to interfere in order to explain the conduct of his right hon. friend the member for Tamworth, who was present, and well able to defend himself; he rose only to defend the conduct of a right hon. friend who was absent, and who had been made the subject of the hon. Admiral's attack; he meant the late Secretary to the Admiralty. The hon. Admiral had spoken of his feelings as a Gentleman, he (Mr. Goulburn) respected those feelings of which the hon. Admiral was so tender; he entered into those feelings; but when the hon. Admiral made his remarks as he had done, it was impossible not to think that it would have been more consistent with the feelings of a Gentleman, if the hon. Admiral had considered in his remarks, that a man who held a civil office had a title to have his feelings respected as much as any other person; and that a man who made an accusation, was bound to know the facts on which he made it, and was doubly inexcusable if he did not know them, when he had ample means to be acquainted with them. The hon. Admiral had drawn a contrast between a Secretary to the Admiralty and an Officer afloat. He (Mr. Goulburn) did not object to that comparison. He did not object even to the hon. Admiral's opinion concerning it, if that opinion were justified by the facts of the case; but he did object to the hon. Admiral's stating, that the retiring pension which his right hon. friend now enjoyed, was the reward of five years' service. He thought that there was not a man in the whole country, except the hon. Admiral, who was ignorant of the length of time during which his right hon. friend had filled a situation of great responsibility and difficulty: it was a period, not of five years, but of twenty-three years, during nine of which the country was engaged in active warfare, and the right hon. Gentleman was laboriously occupied, not only during the day, but often even through the night, in the business of his office. The papers on the Table showed this to be the fact—papers of which the hon. Admiral ought not to have been ignorant when he made his statement respecting the length of service of the right hon. Gentleman. The hon. Admiral had accused a party who was absent, and had given no person the chance of knowing that the accusation was to be brought, so as to be prepared with the means of contradicting it. Of that part of the hon. Admiral's speech, he should, therefore, say nothing, he had not the means of contradicting it; but he must again repeat, that the hon. Admiral could not have been ignorant of the fact, that the retiring pension of the late Secretary to the Admiralty had been granted not for only five years' service, but for upwards of twenty years.

Sir *Edward Codrington*, in explanation, observed, that he had said the right hon. Gentleman was, by the rules in the book, entitled to a pension at the end of five years' service. That was his statement. God knows, added the hon. Admiral, I well remember, that many—many years—all too many for the officers of the navy, was the right hon. Gentleman at the Admiralty's Board.

Mr. *Goulburn:* The hon. Admiral said, that he well knew the length of time that the right hon. Secretary had served in the Admiralty. He (Mr. Goulburn) asked why, well knowing it, he had taken especial care not to state it?

Sir *Robert Peel* observed, that if he did not rise immediately upon the hon. Admiral's sitting down, it was that he felt justice required that the explanation relative to a right hon. Gentleman who was absent should first be given. He must say, that in the whole course of the parliamentary experience of any man who now heard him, there had never been a more extraordinary appeal than that which the hon. Admiral had just made. In 1827, the battle of Navarino was fought. He (Sir Robert Peel) was recalled to office in 1828. A question was then put to him on the subject of the battle, or of the affairs of Greece, and it was his duty to give the best answer he could to it. In giving that answer, and in making some comment on the remarks on the subject of that engagement, it appeared that he had made some statement which had given offence to the hon. Admiral. The hon. Admiral said, that he had read that statement in *Galignani's* paper, and that that statement did not correspond with the fact [Sir *Edward Codrington* said, that he found the same report in the *Mirror of Parliament*]. Well, then, in the *Mirror* *of Parliament*. But was he to be made responsible for statements published of him in *Galignani's* paper or in the *Mirror of Parliament* — statements made four years since, and the subject of which had of course in that time escaped his memory? He was always willing enough to do justice to any man about whom he had made, or was reported to have made, an erroneous statement; but was there any fairness in withholding from him an imputation of this sort at the time, when, if he had made it, he could have best explained it, and then calling on him five years afterwards for an explanation, and not even then condescending to state what *Galignani* had put into his mouth, and what he was expected to answer! Surely the hon. Admiral might have had the courtesy yesterday or this morning to have given him notice of this matter—to have said that he was to be accused of doing the hon. Admiral wrong. Had this been done, he should have done his best to have satisfied the hon. Admiral—he should have referred to particulars about the several thousand slaves, and he should have then been prepared to meet the accusation of the hon. Admiral. But now he was totally unprepared; the more especially, as he had had no concern with the instructions which led to that battle. Under these circumstances, and above all, because he had no communication from the hon. Admiral, he was now quite unable to give any explanation from memory alone.

Sir *Edward Codrington* said, he had made communication about this matter in three official letters. He wrote to Lord Melville, requesting him to lay the letter before the right hon. Baronet; he did so because that was the more regular and business-like way, and he mentioned it afterwards to the right hon. Baronet's brother, Mr. William Peel.

Sir *Robert Peel* observed, that the hon. Admiral ought to have given him notice that he was to be called on to-night. He had at first intended to give an answer to this matter from the *Debates* themselves; he accordingly asked a friend to fetch him, not the *Mirror of Parliament*, for that was not in their library, but the *Parliamentary Debates*; but the volume he wanted could not be procured at the moment. He was now glad that it could not; for he did not think that he was called on, in justice to himself, to give from such materials alone an answer to a matter thus unexpectedly put forward. He again protested against being made responsible for what appeared either in *Galignani's* paper or the *Mirror of Parliament*, and repeated, that he ought to have had notice of this matter.

Sir *Edward Codrington* said, that he should take the opportunity of asking this question again at another time, when he trusted the right hon. Gentleman would be better prepared.

Captain *Berkeley* said, he wished merely to remind the Committee, that the question before it, was the vote for the number of seamen. On that question after the admirable statement of the right hon. Gentleman, the First Lord of the Admiralty, he had nothing to say, but he should feel himself called upon to support the vote now proposed.

Mr. *Hume* insisted that the vote ought to be reduced. Much of the money voted for the navy was uselessly expended. We had paid away uselessly since the peace as much money as would more than equip two such fleets as the Americans had now. We had great quantities of stores that were now rotting away. That was the way in which the public money was wasted. The Americans had but five frigates at sea, three of the larger and two of the smaller class; they had a commerce as extensive as ours, and yet they found this force sufficient to protect it. Now, in 1828, instead of the five or six ships of the Americans, we had no less than 170 ships-of-the-line, exclusive of frigates; and the number now was 118. He believed that half that number would be sufficient for us. He did not want to go back to the standard of 1792, as he was accused of doing; but to that recommended by the Finance Committee in 1817. Our navy was kept up merely as a means of patronage. There was no justice done to men serving in it, unless they had Parliamentary or Aristocratic connexions. Such men rose in four or five years to high promotions, while others served for twenty or thirty years without any promotion whatever. The question the Committee now had to decide was, whether they would vote a body of 27,000 men for the navy, when 20,000 had been thought sufficient six years since. He should move as an Amendment, that the vote should be reduced by substituting 20,000 men for 27,000 men, as he thought the 20,000 were amply sufficient.

Mr. *G. F. Young* said, that he had but a few words to say, and those were, to express his gratification at the statements made by hon. and gallant Officers on the other side of the House, that the British naval service was becoming popular among seamen, and that for the future it would not be necessary to have recourse to the odious system of impressment. That matter was one that had long engaged his attention, and he was prepared to move, if no other hon. Member did, that a Select Committee be appointed to inquire into this subject.

Mr. *Charles Ross* was anxious to state his opinion to the Committee, but finding great impatience manifested he would only say, that he doubted whether the consolidating of the Navy and Victualling Boards with the Admiralty, which took place last year, and was so much praised, would be productive of any beneficial results. It would take another year to see how the plan worked, and before a positive opinion could be formed on the matter.

Mr. *Guest* considered that, under the present circumstances of the country Ministers should adopt practical measures of economy. At the same time he must say, that, looking to the state of affairs in the east of Europe, and our relations with Holland, the reduction of men proposed by the hon. member for Middlesex was too great. He thought that Ministers might begin with a reduction of 2,000.

The Committee divided on the Amendment: — Ayes 44; Noes 347 — Majority 303.

List of the AYES.

Baldwin, H.
Barry, G. S.
Beauclerk, Major
Butler, Colonel
Clay, W.
Faithfull, George
Finn, William F.
Fitzsimon, C.
Galwey, J. M.
Gaskell, D.
Gillon, W. D.
Grote, G.
Guise, Sir W. B.
Gully, John
Hawkins, John
Hutt, William
James, William
Lalor, Patrick
Lister, Ellis
Maclaughlin, L.
Marsland, T.
Molesworth, Sir W.
Morrison, J.
O'Brien, C.
O'Connell, Daniel
O'Connell, John
O'Connell, Morgan
O'Connell, Maurice
O'Connell, Charles
O'Connor, Fergus
O'Dwyer, A. C.
Potter, Richard
Roebuck, J. A.
Romilly, J.
Ruthven, E. S.
Ruthven, Edward
Thicknesse, R.
Torrens, Colonel
Turner, W.
Trelawney, W.M.
Vigors, N. A.
Wallace, Robert
Warburton, Henry
White, L.

On the Question, that 955,220*l.* be granted to his Majesty, to defray the charge of wages for seamen and marines for the ensuing year,

Mr. *Hume* said, that nothing could be more stupid than the way in which Navy Estimates were voted. The number of admirals and other officers were not specified, but officers and men were huddled together in the greatest confusion. With respect to the army, it was very different, for the number of generals, colonels, and regiments were stated, so that an insight into the Estimates for each might be obtained. A Return had been made to the House of the sinecures held by naval officers, which he wished to get rid of; and he should, therefore, move that the Estimates be reduced by that sum—namely, 6,975*l.*

Sir *James Graham* objected to the reduction. The sinecures complained of were the colonelcies of marines, which were held by the most distinguished officers in the service. Would the House deprive such men as Lord Saumarez and Sir Sidney Smith, of the only especial reward they received for their long and arduous services?

Mr. *O'Connell* put it to the Committee to say, whether or not they were prepared to vote away the money of the public for the avowed purpose of maintaining sinecures? The question had reduced itself to one of sinecures or no sinecures; and the question for a Reformed House of Commons to determine was, whether or not they would support the Motion for economy of his hon. friend the member for Middlesex?

Mr. Ayshford Sanford supported the Estimate as laid before the House by his Majesty's Government.

Mr. *Robinson* observed, that no exception whatever had been taken to the personal merits or services of the individual officers—the question was one entirely of principle; but after the best reflection which he could bestow on it, he did not find it in his power to support the Motion of his hon. friend the member for Middlesex; for, if that Motion were agreed to, it would go at once to deprive six or eight meritorious officers of their means of subsistence, and of the reward for honourable and useful services to which they were justly entitled. He should be for putting an end prospectively to those sinecures; whereas the Motion of his hon friend would have a retrospective operation.

Mr. *Hume* said, that all he contended for was, that those places should be removed as sinecures. He should be perfectly willing to support a Motion for giving to all naval officers of high desert the rewards to which their services might entitle them. By adopting his Motion they would get rid of the existing sinecures, and prevent the possible abuse of them in future.

Mr. *Nicholson Calvert* would certainly support the Estimate as it stood; for though there had been in times past a grievous abuse of the power of granting sinecures, yet he did not apprehend there was now much danger of the continuance of that abuse; and he thought those offices against which the Amendment of the hon. member for Middlesex was directed, formed means of rewarding meritorious officers, which it would be highly inexpedient to abolish.

Major *Handley* said, he had reason to know, that, by many of the officers of marines, those appointments were considered degrading to the corps, and he should, therefore, support the Amendment.

Mr. *Briscoe* said, that on a former occasion he had voted against a motion of the hon. member for Middlesex on the subject of sinecures; he had since seen reason to regret that vote, and he should endeavour to repair the error by voting with him on the present occasion. The persons filling the offices now under the consideration of the House had no duties to perform, and should, therefore, as he conceived, no longer receive any portion of the public money.

Viscount *Palmerston* hoped, that the House would not allow itself to be carried away by words. Sinecure was always an odious word in that House; but he denied that this question was one of sinecure or no sinecure. It was a question whether they should continue to reward meritorious officers, in a manner most congenial to their feelings. Those places were rewards, and cheap rewards, for gallant services performed towards the country, and it was most unjust to attach to them the name of sinecures. As to the argument, that it was not sought to deprive the present possessors of their honourable reward, he put it to the Committee, whether such must not be the inevitable result, if the Amendment of the hon. member for Middlesex was carried. His Majesty would be deprived hereafter of the means of giving those gallant officers that recompense which they had hitherto enjoyed, and to which they were so well entitled.

Mr. *Gisborne* observed, that when, upon a former occasion, the hon. member for Middlesex had brought the subject of sinecures under the consideration of the House, he was met by the argument, that if there were, under that Motion, and that time, any step taken, it would amount to a direct interference with the prerogative of the Crown; and a great many other arguments of equal force were urged against it; and his hon. friend was told to wait until the several Estimates were brought before the House of Commons — now a Reformed House of Commons; but the bringing forward of the Estimates afforded that opportunity to which his hon. friend was referred; and now they were assailed with an appeal *ad misericordiam*. That he thought should not for a moment be attended to, and for this simple reason, that the proposition of the hon. member for Middlesex did not go to do the slightest injury to the present incumbents of offices, since he and all who supported him were perfectly willing to make suitable provisions for all those officers.

Sir *Robert Price* contended, that the offices in question were not sinecures, properly so called, and that the cheapest and most advantageous mode of rewarding public services of the nature referred to, was by offices which carried with them honourable distinction, and at the same time some small emolument.

Mr. *Plumptre* would not depart from the vote which he had given on the former occasion, and would again support the hon. member for Middlesex.

Lord *Ebrington*, whilst he voted against the Amendment, wished to guard against being supposed to yield in this case upon an argument *ad misericordiam*. As long as those offices were properly bestowed, as he had no doubt they now were, he thought them the best and cheapest reward for public services. If any office was improperly bestowed, he thought the Committee should express their sense of such a proceeding by withholding the salary for that particular office. It was his intention to vote with the Government.

Mr. *O'Dwyer* said, that on every side the people were demanding a reduction of taxation; and yet, whenever any proposition for economy was submitted to the House, Ministers were always prepared with an excuse for not adopting it. He wished some hon. Gentleman would state where and when the reduction of expenditure should commence: for whatever specific reduction was proposed had innumerable objections started against it? On a former evening, the general proposition of the hon. member for Middlesex was objected to, because it did not go enough into detail; and now, when a motion of detail was brought forward, that was objected to because it was not sufficiently general.

Sir *James Graham* replied, that reductions had been effected up to the last year to the extent of 2,100,000*l.* He was asked would these reductions go on? He should say yes; and for proof of that assertion he should refer to the Estimates then before them. Already reductions to the extent of 400,000*l.* or 500,000*l.* had been effected.

Mr. *Herries* said, the last Administration had been as fully desirous to reduce taxation, and as successful in doing so, as the present Government. The administration of the Duke of Wellington, with which he had had the honour of being connected, had made a reduction of 3,000,000*l.* in one year.

Mr. *Hume* said, that hon. Members complained that he pointed out no case of abuse. Had he not mentioned the case of Sir Augustus Fitzclarence, which was a most abominable case of abuse?

An *Hon. Member* said, that he was ready to support the hon. member for Middlesex in any specific case which he brought forward.

Mr. *Hume* could not reckon upon such support; it was the loop-hole through which they all got out. If officers were to be paid salaries, he wished that each individual case should be laid before the House, in order that it might be deliberated on. It was said, that such subjects should not come under the consideration of a popular assembly; but he wished that the Representatives of the people would pay more attention to them than they did. He trusted, that before the end of the present Session there should be an end to all sinecures and unmerited pensions. If officers were to receive pay, it should be given to them under the real — not a fictitious denomination.

The Committee divided on the Amendment: Ayes 83; Noes 224—Majority 141.

Vote agreed to.

List of the AYES.

ENGLAND.

Aglionby, H. A.
Bayntun, S. A.
Beauclerk, Major A.
Bewes, T.
Briscoe, J. I.
Brocklehurst, J.
Buckingham, J. S.
Bulwer, E. L.
Chaytor, Colonel.
Clay, W.
Collier, J.
Cornish, James
Curteis, E. B.
Dawson, E.
Divett, E.
Evans, W.
Ewart, W.
Faithfull, G.
Fenton, J.
Feilden, John
Fort, J.
Gaskell, D.
Gisborne, T.
Grote, G.
Gully, J.
Hall, Benjamin
Handley, Benjamin
Harvey, D. W.
Hawes, B.
Hodges, T. L.
Hutt, W.
James, W.
Kemp, T. R.
Lister, C.
Marsland, T.
Molesworth, Sir W.
Morrison, J.
Parrott, J.
Philips, M.
Phillpotts, J.
Potter, R.
Ricardo, D.
Rider, T.
Rippon, C.
Roebuck, J. A.
Thicknesse, R.
Tooke, W.
Torrens, Col. R.
Turner, W.
Tynte, C. J. K.
Warburton, H.
Wason, R.
Wilks, J.
Williams, Col. G.

SCOTLAND.

Gillon, W. D.
Oliphant, L.
Oswald, J.
Wallace, R.
Wemyss, Capt. J.

IRELAND.

Baldwin, H.
Barry, G. S.
Bellew, R. M.
Butler, Hon. P.
Evans, G.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Lalor, P.
Maclaughlin, L.
O'Brien, C.
O'Connell, D.
O'Connell, C.
O'Connell, J.
O'Connell, Morgan
O'Connell, M.
O'Connor, F.
O'Dwyer, A. C.
Roche, David
Ruthven, E.
Ruthven E. S.
Sheil, R. L.
Vigors, N. A.
White, L.

TELLER.

Hume, J.

The House resumed.

HOUSE OF LORDS,

Tuesday, March 26, 1833.

MINUTES.] Papers ordered. On the Motion of Viscount MELBOURNE, Copies of the Statements of the Number of Criminal Offenders committed for Trial in England and Wales for the year 1832.

Bills. Read a second time:—Sugar Duties.

Petitions presented. By the Earl of ROSEBERY, from Balingry and Canisby; against the present System of Church Patronage in Scotland.—By Lord KING, from Lankilleth, for a Repeal of the Malt Duty.—By the Earls of HARROWBY and RODEN, by Viscount MELBOURNE, and the Bishop of LONDON, from Numerous Places in England, Scotland, and Ireland,—for a Better Observance of the Sabbath.—By the Earl of MORLEY, from Plymouth, and Stonehouse, against Slavery; and from Plymouth, for an Alteration in the Law of Debtor and Creditor.—By the Earl of RODEN, from the Dean and Chapter of Elphin, against the proposed Measure of Church Reform for Ireland; from another Place, against the Grant to Maynooth College; and from Brechin, against the Ministerial Measure of Education (Ireland).—By Earl FITZWILLIAM, from the Jews of Kingston-upon-Hull, for the Emancipation of the Jews.

ADMINISTRATION OF JUSTICE.] The House, on the Motion of the Lord Chancellor, resolved itself into a Committee on the Administration of Justice Amendment Bill.

On the Question, that the first Clause stand part of the Bill.

The Earl of *Eldon* said, it was impossible he could assent to the clause. It recited, that great doubts had arisen in Westminster Hall as to the power of the Judges to make alterations in the practice of pleading, and then it went on to enact, that the Judges or any eight of them, of whom three must be the chiefs of the Courts, shall make, at any time within five years, such alterations in the mode and practice of pleading as might seem to them expedient. The effect of the Bill would be, to delegate to the Judges a power which Parliament ought never to relinquish—that of legislation. He could not bring himself to agree to a Bill which, in the year 1833, should enact that five years afterwards—namely, in the year 1838, the rules made by Judges should have all the force and effect of law, and be to all intents and purposes the law.

The *Lord Chancellor* observed, that at first view the objection of his noble and learned friend might appear to carry with it some weight, but he begged the House to observe, that the present Bill was founded upon the recommendations of the Law Commissioners, who were of opinion that the whole system of special pleading should undergo revision for the purpose of rendering it more effectual and more conducive to the ends of justice. He was sure that his noble and learned friend could never for a single moment entertain the idea that Parliament could frame a code to regulate the course of all special pleading at all times. When circumstances arose demanding alteration, much inconvenience, nay, much injustice, must arise from waiting for Acts of Parliament. They must intrust powers to the Judges, or permit abuses to continue; and he felt confirmed in his attachment to the present measure, from remembering that it was in perfect accordance with the Bill introduced by Lord Tenterden for facilitating process. He really thought there would be no hazard in intrusting that power to the Judges for the five years that he proposed. It was indeed absolutely necessary that the power of altering the rules and practice of the Courts of common law should be vested in the Judges; because there was no other way in which the object could be accomplished with safety. The consequence of proceeding legislatively, in the first instance would be, that any evils which originated from the promulgation of rules of practice or of order, must be permitted to re-occur in every case until a new Act of Parliament could be obtained. He would take upon himself to state, that the practice and jurisdiction of the Court of Chancery would not have been established, if the Court itself had not been vested with discretionary power; and those advantages which have been derived from its character as a Court of Equity, would never have existed. His noble and learned friend (the Earl of Eldon) did not state the precise words of the clause, when he said, that it gave the power to the Judges for a period of five years, to devise and determine upon the rules and orders, on the pleadings and practice of the Courts; and that, at the end of such five years, those rules and orders were to acquire the force of an Act of Parliament, the same as though they had been originated by the Legislature. As regarded the particular period of five years, the reason why it was fixed upon was this: There must be some fixed limit to which this authority should extend; and, however high the character, situation, and condition of those who might be called upon to exercise their judgments on subjects of this nature, unless some term were fixed for completing their work, the subject might, by possibility, be allowed to sleep, and be at length wholly overlooked, even in cases where the adoption of new regulations might be essential; and the powers intrusted by this Bill should be carried into effect at the earliest possible period. It was considered that a less period than five years would not be sufficient, where new rules and orders were laid down, to give them a fair trial. Their Lordships would find that, by this Bill, the Judges of the superior common law Courts were empowered, from time to time, to make such alterations in the mode of pleading, and other proceedings in actions at law, and such regulations as to the payment of costs, as to them might seem expedient; and that such rules and orders should have the same binding force and effect as if the provisions contained in them had been expressly enacted by Parliament. The operation, therefore, of these new rules and orders was strictly limited to the period of five years from the passing of the Act; and that at the end of that period, should they be found effective, then only they might be made a part and parcel of the law, by receiving the sanction of the Legislature. It was apparent, that the desirable object of establishing good rules in the Courts could not be attained without an Act of the Legislature, which should give the Judges larger powers than they possessed. His noble and learned friend had not correctly quoted the preamble of the Bill; and he would find, on reference to it, that it did not state, that in consequence of great doubts having arisen, so and so was necessary to be done; but that as "doubts" may arise "as to the power of the said Judges to make such alterations without the authority of Parliament." The object of the Bill was, therefore, not to provide a remedy for any doubts that existed; but it actually went to prevent, as far as possible, any such doubts from arising. Since the Report of the Common Law Commissioners was made, not only the Judges of the Court of King's Bench, but the Judges of all the Courts in Westminster Hall, had issued rules and orders, effecting very great and material improvements in the practice of those Courts, which had tended to render the practice and proceedings on them much more clear and distinct; and, what is most desirable of all, to diminish useless expense to the various suitors in them. The great object to be effected was, that of altering the method of pleading to this extent, that the manner and mode of it shall be clear and distinct; and it will be at the peril of a party to adopt any other mode than that which is laid down. Suitors must adopt the mode laid down by the Judges: they might, if they pleased, make a plea shorter; they might choose their own words; but if a plea consisted of more words than the order laid down by the Judges permits, it would then be said, "you did so at your peril, and you shall not have costs." This was a desirable improvement in the rules and practice of pleading in the superior Courts; much good had already been effected—he had no doubt it would continue to increase; and he felt convinced that the greatest possible benefit would result from the exercise of those powers which it was the object of this Bill to bestow on the Judges.

Lord *Wynford* said, he hoped that, in a case like the present, the House would seek for the assistance of the Judges, who could give their Lordships a great deal of information about pleading, but he also hoped that they would retain the power of applying that information in their own hands. Their Lordships ought not to impose upon the Judges the responsibility of legislating for a period of five years. It had been said by his noble and learned friend on the Woolsack, that the House could not all at once make provision for all the rules which a complete system of special pleading would require; but such an objection, if admitted in the present case, must be allowed to prevail with equal force in every other, and would apply to every law that might by possibility be introduced in that or the other House of Parliament. It was one thing to require that Judges should make rules respecting matters of practice, and quite another, that they should be called upon to establish the rules upon which pleading was to be conducted. He would repeat, that in considering the present measure, the assistance of the Judges would be required for every part of it. He thought the people would be benefitted if the Judges were in the first instance allowed to propose such improvements as to them might seem necessary, such as experience might suggest; and if those improvements, thus proposed, were afterwards brought before Parliament for its sanction; the two Houses, of course, reserving to themselves the right to see whether the alterations proposed were fit to be adopted.

The *Lord Chancellor* said, that the mode proposed by his noble and learned friend was more objectionable than that which he proposed to get rid of. If that mode was once adopted, it would be the recognition of the principle that that House should stop in its legislative course for the assistance of the Judges, and no man in either House of Parliament would ever afterwards think of proposing any change in the law lest he should be met with the objection,—"Oh, but have you the approval of the Judges, for if you have not, we cannot adopt what you propose, for it is for them alone to begin alterations." He, in common with other noble Lords, felt the greatest possible respect for the learned Judges, but anything like allowing them arbitrarily to decide for Parliament whether any changes should be made—whether those changes were sufficient—whether they were necessary or fit to be made was—what he never would consent to. That would be nothing more nor less than a complete abdication of their own legislative functions. He knew the practice of Parliament well enough to be quite sure, that if the precedent were once set, it would ever after be acted on. To adopt the noble and learned Lord's recommendation would be to make the Judges the Lords of the Articles over them. The use of that expression reminded him of an instance which clearly showed that what he was now proposing was not only not unusual, but was the usual mode in which Parliament dealt with matters of this sort. That instance was to be found in the Statute of the 6th Geo. 4th—the Act passed to establish the Jury Trial in certain cases in Scotland —an Act passed when his noble and learned predecessor was on the Woolsack, and in which the Chief Commissioner of the Jury Court, with certain other persons therein-named, was empowered to make orders and processes—these processes being in Scotland, as his noble and learned friend well knew, the most important pleadings in a cause. There was no doubt, that if they were to wait for an Act of Parliament to amend the pleadings in causes whenever such amendments were required, that they would never be made; and it was chiefly for that reason that he wished to confer on the Judges this power of alteration.

The Earl of *Eldon* thought, that the speech of the noble and learned Lord rendered it an absolute duty on him to oppose this measure. The power to which the noble and learned Lord seemed to object, was most effectually given to the Judges by this clause. Instead of the old practice of the Lord Chancellor calling on the Judges to state their doubts as to the practice of their Courts, and then, if he thought proper, undertake to recommend the alterations to Parliament, it was now proposed—and that too in a Bill which stated doubts as to the power of the Judges—that they should make rules in their own Courts, which rules were to have authority for five years, and then to become the law. Why, this was legislating, and this Bill gave into the hands of the Judges the power to make laws in very important cases. The practice of the Courts was a part of the law of the land, affecting property and even personal liberty, and he protested, on the part of the subject, against giving to Judges this extensive legislative power.

The *Lord Chancellor* read the clause, to show that the proposed powers related chiefly to alterations in pleading. The Scotch Jury Act was a precedent for this.

The Earl of *Eldon* did not wish the law of Scotland to become ours, especially with regard to the powers of the Judges, whose acts of *sederunt* were often equivalent to legislative enactments. As to these being mere matters of pleading, the noble and learned Lord must know, that pleadings influenced the rights of the subject more than anything else.

Lord *Ellenborough* said, the subject seemed to be one of considerable difficulty, and he believed the representations made by the noble and learned Lord were correct. He was averse from giving such a power to the Judges, and he would suggest, with a view of obviating the difficulty, that the Judges should draw up such rules and orders as they might think necessary, should lay them at once before Parliament, if Parliament was sitting, and, if not, should do so within five days after Parliament actually assembled, and that such rules and orders should not have any force till six weeks after they had been so laid before Parliament.

The *Lord Chancellor* saw no objection to the noble Lord's Amendment. On the whole, though it would not be without inconvenience, he thought that the suggestion of laying the rules before Parliament was an improvement; certainly in some cases, as for example, when practice had taught the Judges the imperfection of some of their rules, they must wait till Parliament assembled, and they obtained its sanction to alter them.

Lord *Wynford* had listened with great attention to all that had been said on this point by his noble and learned friends on both sides. He was still of opinion, however, that no necessity existed for Parliament to delegate its powers to the Judges in the manner proposed. His experience did not lead him to the conclusion that there was anything connected with the practice of pleading which could not be provided for by legislative enactments. All that was necessary was to bring back pleading to what it had been two centuries ago—a simple statement of facts, so that the defendant should know what he was charged with, and the Judge what he had to try. He would therefore move an

Amendment to the effect, that in all cases, the Judges should state what they considered to be necessary, and that their recommendations should be proposed in Parliament, the Parliament reserving the right of receiving or rejecting the proposed alterations.

The House divided on this Amendment: Ayes 9; Noes 12—Majority 3.

Lord Ellenborough's Amendment was agreed to.

Lord *Eldon* expressed his satisfaction that the arbitration clause had been withdrawn, as in his opinion it was of the most injurious and oppressive character. For fifty years, as a Barrister, a Judge, and a Chancellor, he had been acquiring experience, and that forbade him ever to consent to compel suitors to submit to an arbitration. Being on his legs, he would take that opportunity of pointing out another clause which was of an unsatisfactory character. It was that which called upon the subjects of these realms to bring their suits before the Sheriff for trial, instead of a Judge. There would be ten times as many questions of law arise for subsequent decision, as there would be if the matter were before a Judge of Assize, and for many other reasons he looked upon the clause as a most vicious one.

Bill passed through the Committee.

HOUSE OF COMMONS,

Tuesday, March 26, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. WARBURTON, a Return from the British Diplomatic and Consular Agents in the United States of North America, of the quantities of Gold raised at the Mines situate in the States of North and South Carolina, Georgia, and other States adjoining, from the earliest to the latest period at which such a Return can be obtained.

Bills. Read a first time:—The Marine Mutiny; Entails (Scotland).

Petitions presented. By Mr. FREDERICK SHAW, from Clonakilty, against Slavery.—By the same, from a Number of Places in Ireland; by Sir ROBERT PEEL, from Dysart and Tamworth; and by Sir HARRY VERNEY, from Buckingham,—for the Better Observance of the Sabbath.—By the Sheriffs of London, from that City, for a Repeal of the Assessed Taxes.—By Sir HARRY VERNEY, from Steeple-Claydon, for some Amendments in the Labourers' Employment Bill.—By Mr. WILKS, from the Protestant Dissenters assembling at Oxford Street Chapel, Birmingham, for a Removal of the Disabilities under which they labour.

REFUSAL TO GIVE EVIDENCE.] Mr. *Bannerman*, the Chairman of the Liverpool Election Committee, moved the Order of the Day, that Elizabeth Robinson, a witness who refused to answer certain questions put to her by that Committee, be ordered to attend at the Bar of the House.

The witness brought in, and questioned.

By the *Speaker*: What is your name?—Elizabeth Robinson. You were summoned as a witness to give evidence before the Liverpool Election Committee? —Yes. You were asked by that Committee questions which you refused to answer?—Yes. What were your reasons for declining to answer these questions?—I was afraid of my life. You were in apprehension of incurring personal risk? —I was: I feared for my life. Should you have still the same feelings of alarm, if you were called upon now to answer these questions?—I dare not answer that.

By Mr. *Robinson*: Have you been threatened by anybody, and what reason have you to suppose that you run personal risk in answering these questions? —I have been threatened by one person. Will you state to the House the name of that person?—I dare not mention his name.

The witness ordered to withdraw.

Mr. Benett moved that the Order be discharged.

The Motion having been seconded,

Mr. *Hume* opposed the Motion. He said, that the present inquiry, instituted by the Committee, related to bribery, and that the public were deeply interested in the matter. This witness declined answering questions which might lead to the discovery of those persons who had practised bribery. She also refused giving the name of the person who had threatened her; who, if he were not guilty, would have no reason to make use of intimidation. If the witness were discharged, and the matter allowed to drop, the object for which the Committee sat would be defeated.

Mr. *Benett* thought, that the witness did not object to answering other questions in furtherance of the views of the Committee.

Mr. *Nicholl*: The questions she had already refused to answer were most material—to find out how certain sums had been disposed of. Particularly a sum of about 50*l.*, and a smaller one of 3*l.* 16*s.* which it was supposed she had some knowledge of. If she knew the names of the parties bribing, and refused to mention them, then it would be impossible to get at the truth.

Sir *Robert Bateson* contended, that the witness ought not to be discharged, as it was of the greatest consequence that the Committee should be made acquainted with every circumstance that tended to a discovery of the truth. The only question was, whether the laws were sufficient to protect her or not, if she spoke the truth. If they were, she ought not to be discharged.

Mr. *Spring Rice* said, that the real question at issue was, whether that House was, under any circumstances, to be stopped in investigating any matter it might think fit to make inquiry into; and whether the bare assertion of one intimidated party was sufficient to prevent investigation? He thought that if the House acquiesced in such a denial, it would be departing from the general principles by which it was directed in its proceedings. Were the questions put to this witness by the Committee material and necessary ones? If they were, and it seemed by having the witness called before that House that they were, the House would not be discharging its duty either for the present or for the future, if the witness was allowed to be discharged. By doing so the House would be encouraging every timid or unwilling witness, and frequently witnesses for corrupt purposes would decline giving the evidence required of them. If the House acquiesced in the discharge of the present witness, it would do what no Court of Justice in the land would consent to. The House could not allow the matter to rest as it was, without declaring itself utterly unfit for its high avocations, and might, in such cases, as well at once abdicate all its acknowledged principles.

Sir *Robert Peel* agreed with the right. hon. Gentleman. The Committee had pursued the only course that was left open to it; and he, therefore, thought that the House had no other alternative, if the witness still persisted, but the exercise of its power as an ultimate resource.

Mr. *Bannerman*, as Chairman of the Committee, begged to state, that the Committee had offered the witness every protection within its power.

Mr. *Hume*, after stating his regret that any female should be so situated as the present witness was, submitted that it was most necessary to have the truth upon the present occasion. She should be brought back to the Bar, and advised as to the way she should proceed.

Lord *Althorp* also thought it proper that the witness should be fully informed of the protection that the House could extend to her; and then that the necessary answers should be insisted upon.

Mr. *Harvey* said, that he was satisfied that the witness spoke the truth when she said that she had been intimidated; but this was not a sufficient reason for declining to answer the questions of the Committee. Those who intimidated her did so that she should become a cloak for crime; and, though innocent herself, she was to be considered as an instrument in the hands of criminal persons. She should be ordered to appear before the Committee to-morrow, and answer all questions that might be put to her.

Sir *Thomas Freemantle* said, that the House could not effectually grant its protection to the witness, unless, as soon as she mentioned the name of the person who menaced her, it issued an order for his immediate arrest.

Mr. *Wynn* said, that when the House armed with its own powers the Committee, it might exact obedience to that Committee, in the same manner that it would exact obedience from persons called upon to give evidence at the Bar of the House. The House had always enforced answers to its questions, except in the case of Sir Abraham Bradley King, whose testimony was not considered of any great moment. The question arose out of a riot at Dublin, and it was contended that on account of the trifling nature of the circumstance it was not sufficient to justify the interference of the House. There was also the case of a medical man who was questioned as to something which had been stated to him confidentially in his practice, and he objected from motives of honour to answer, and was exonerated. No one could doubt the power of the House, to enforce answers, but there might be some question as to the propriety of exercising the power. If the members of the Committee, in the present instance, did not think the evidence of this witness material, they need not press to have their questions answered; but, having thought the evidence important, and having caused the witness to be brought before the House, the House had no other option but to enforce its authority by every means in its power. It would perhaps be sufficient if the witness were called in and assured of the protection of the House by the Speaker, and warned of the consequences of not answering.

The *Speaker* considered that the right hon. Gentleman had taken a correct view of this question. The House had heard the statements of the witness, and there was not sufficient reason assigned in them for her refusing to answer the proposed questions, when she had been assured that she might do so with safety. As for the motion to have the Order of the Day discharged, there was no Order to discharge, since the only one—that the witness attend the House—was already complied with. He would ask whether it was the pleasure of the House that the witness be recalled?

Mr. *Wynn* said, that the witness should be cautioned as to the probable consequences of persisting in her refusal.

The witness recalled.

The *Speaker* then addressed the witness to the following effect:—The House has listened to you with attention, and has not seen in your statements any sufficient reason why you should refuse to answer the questions put to you by the Committee before which you were summoned as a witness. The House expects that you will not persist in your refusal, but that you will henceforth answer the questions put to you by the Committee. Whilst the House expects this from you, it assures you at the same time that you may confidently depend on its justice, and on its entire protection. For the present, the House is satisfied with admonishing you, as you are labouring under a mistake. But you must learn, that if you continue to refuse answering the questions of the Committee, it will be at your own risk and peril, as you must in that case be committed to the custody of the Serjeant at Arms, as one guilty of a breach of the privileges of this House. On the one hand, the House points out to you the danger of non-compliance with its orders; and, on the other, it declares to you that you may safely rely on its protection, and it enjoins you therefore to act as an honest and upright witness, in answering fully all the questions that the Committee may think fit to ask of you.

The witness withdrew.

COMMUTATION OF TAXES.] Mr. *Robinson* rose to move, that a Select Committee be appointed to revise the existing Taxation, with a view to a Repeal of those burthens which press most heavily on productive industry, and the substitution of a tax upon property in lieu thereof. He was so sensible of his own inability to do justice to the very important subject which he had undertaken to bring before the House, and of the disadvantages under which he laboured in belonging to no party, and in being supported by none but those who were sensible of the rectitude of his intentions, that he should have shrunk from the task, if he did not consider it a duty he owed to his country to bring the subject fairly before the House. Hon. Members were to be found in the House of all diversity of opinions. There was hardly a shade of opinion which did not find its Representative; and there were few subjects on which they all could concur. On one subject, however, they did agree—namely, that in order to afford relief to the people, it was necessary to diminish taxation. Government had accordingly been assailed on all sides to remit taxes. The Government met the complaints, by saying—and he admitted with great truth—that it was necessary to maintain the national faith, and to support the establishments of the country, which could not be done if those taxes were abolished. The consequence had been, that taxes had been raised, in many instances, in order to meet the exigencies of the Government, or at all events had been but in very few instances remitted. For the three years during which he had had the honour of sitting in that House, he had paid considerable attention to the subject of taxation, and the conclusion at which he had arrived was, that as no great amount of taxation could be remitted, the only way in which relief could be communicated to the labouring classes, was by a commutation of the taxes. He was aware that unless he could make out a strong case for the adoption of his opinion, he could not expect his Majesty's Government to make so extensive a change in the whole system of taxation. He could assure the noble Lord, that, in bringing forward the suggestion, he was satisfied of its expediency, and he pledged himself to prove to the noble Lord, and to the House, that an absolute necessity did exist for making the change which he advocated. He did not make the suggestion as the result of his own opinion alone; he was supported in it by some of the ablest statesmen who had ever sat in that House; and he believed he should be able to show that the noble Lord—the Chancellor of the Exchequer himself had, at one time, concurred in the propriety of the adoption of some such measure as that which he advocated. He would not detain the House to dilate upon the distress at present existing in the country. They had heard those distresses most ably stated on a former evening, when the hon. member for Birmingham brought forward his Motion on the State of the Nation; and they were such as were well calculated to harrow up the feelings of those who heard them. He could not, however, help admitting freely, that the statement made by the hon. Member was greatly overcharged, and that his eloquent descriptions were not borne out by the facts which he had adduced. Yet enough appeared then, to convince every body (and this was known to all who considered the situation of the country) that such was the wretched condition of the labouring classes, that it became the imperative duty of the House to take the subject into its most attentive consideration, in order that, by their collective wisdom, they might endeavour to devise some remedy for an evil which threatened destruction and ruin to the whole nation. The noble Lord had been assailed by every class for the repeal of the taxes which pressed peculiarly upon itself. He had, within the last week, been waited on by several deputations of mercantile men, who prayed for the repeal of the House and Window-taxes, and the other Assessed-taxes. And, in the same manner, he had at other times been assailed by those interested in agriculture, for the repeal of the Malt and Hop-duties. He (Mr. Robinson) thought that the noble Lord had acted prudently in abstaining from making any promises of a remission of taxation, and, indeed, in having declined to give any information as to his financial schemes, till after the Easter recess, when he should be able to state fully the plan which the finances of the country would enable him to adopt. It might then be asked, why he should bring forward such a Motion—why not leave it to Government to propose it, if the Government thought that it was fitting it should be adopted. His answer was, that it was not to be expected that Government should propose such a commutation of taxes as he meant to propose. Were the Government to propose the adoption of a Property-tax in lieu of their present taxes, it would be an avowal on their part of the inability of the country to support its institutions according to the present system, and that, in fact, the whole system was rotten to the core. He therefore did not blame Ministers that they did not originate such a Motion—he should not even blame them if they opposed it until such time as it should appear by a Resolution of the majority of the House, or even by the expressed opinions of a respectable numerical minority, that such a measure was necessary. If such an opinion were once expressed, no Government could withstand that and the strong feelings known to be entertained on the subject throughout the country. And the result would then be, that the noble Lord would be forced to change the whole financial system of the kingdom. He had stated, on a former occasion, that great distress existed in the country, and he had then, as now, to complain that such complaints were coldly received by the House, and a refusal given to all inquiry, on account of the exaggerated statements in which hon. Members indulged. It was to be regretted, that on account of such statements the House should refuse to inquire into the real distresses which were known to exist, and that the country should not obtain, because its evils were exaggerated, that redress which it required and expected. The people said—"Will you grant an inquiry to ascertain the real amount of our distress, and propose a remedy?" He hoped that the House would grant an inquiry. At all events, he trusted that they would endeavour to trace the evil to its source. It was idle to say, that there was no remedy. It only required firmness and promptitude on the part of the Government, and patriotism on the part of the Members of that House, to discover it. The people did not complain of the taxes themselves, so much as they complained of the injustice with which they were levied. They complained of the inequality of the system, which pressed upon the industrious classes with undue severity, and bowed down those who contributed most to the support of the country. He thought that there was an easy remedy to be found for that evil. He thought that a commutation of the taxes, and the substitution of a Property-tax in lieu of the taxes which pressed on industry, would, in a great measure, effect that remedy. And if it were adopted, it would prevent the country being ruined by a system of taxation, which, if persisted in, would lead it into difficulties from which the Government could never expect to extricate it. He would read an extract from the speech of a late eminent statesman, whose opinions had always, as they deserved, met with every consideration from the House—he meant that of Mr. Huskisson, as it showed what his opinions on the subject then before them were. When a motion was brought forward on the 18th of March, 1830, for an Inquiry into the State of the Nation, Mr. Huskisson, after expressing a wish for a great reduction of taxation, and an opinion that the reduction could not be carried much further, went on to recommend, in these terms, a general revision of taxation:—'The more general considerations to which I now claim the attention of the House are these:—first, that no other country in Europe has so large a proportion of its taxation bearing directly upon the income of labour and productive capital:—secondly, that in no other country, of the same extent, I think I might say in none of five times the extent of this kingdom, is there so large a mass of income belonging to those classes who do not directly employ it in bringing forth the produce of labour:—thirdly, that no other country has so large a proportion of its taxation mortgaged; in proportion to the amount of that mortgage are we interested in any measure which, without injustice to the mortgagee, would tend to lessen the absolute burthen of the mortgage:—fourthly, that from no other country in the world does so large a proportion of the class not engaged in production (including many of the wealthy), spend their incomes in foreign parts. I know I may be told that, by taxing that income, you run the risk of driving them to withdraw their capital altogether. My answer is, first, that ninety-nine out of every 100 of these absentees have no such command over the source of their income; secondly, that the danger is now of another and more alarming description—that of the productive capitals of this country being transferred to other countries, where they would be more secure of a more profitable return. The relief of industry is the remedy against the danger. One of the objections made to any direct tax upon income, even limited as I have described, to capital not directly employed in the pursuits of industry, is, that it may be very fit as a war measure, but that it is not suited to a state of peace. My answer is, that this proposition is too general. What may be very well adapted to a state of peace or war, under given circumstances, may become inexpedient when the bearing of those circumstances is altogether changed. In war, the wages of labour and the profits of capital may be high; in peace they may be greatly depressed. In the former supposition, taxes bearing upon industry will be more lightly felt; in the latter, their pressure will be very severe; and, if not alleviated, will daily become more so, by exhausting the very springs of that industry from which they are derived. Let gentlemen seriously weigh in their own minds whether this be not the risk against which it is most earnest to provide. I have already shown, upon higher authority than my own—that of the Chancellor of the Exchequer—that the amount remitted by a change in our taxation would be a very inadequate measure of the real saving and contingent relief to industry; whilst, on the other hand, the produce of the tax to be substituted would be commensurate with what it might subtract from the incomes of the classes by which it would be paid. The landlord, the fundholder, the mortgagee, the annuitant of every description, would moreover be directly benefited to the extent of his consumption of the articles upon which the present taxes might be reduced or abolished. Each would be indirectly benefited, by the stimulus and additional ease which would be given to the industrious classes. Take, for instance, the land-owner. Can any man doubt that in proportion to the relief afforded, would be the means and desire of the industrious classes to consume more of all the productions of the soil which constitute their habitual comforts and luxuries—more meat, more malt, more cheese, more butter, and more of all the other articles which cannot be said to be of absolute and primary necessity? Can any man doubt that the consumption of these articles is now check-

'ed, if not actually diminished, by the 'straitened circumstances of our labouring population? Should their condition become still harder—and, in order 'to maintain our competition in the 'foreign market, I fear that, without the 'relief which I have suggested, it must—'is it not obvious that the consumption of 'these articles, and, with the consumption, 'the price, must decline?'. * * * *

'If I have dwelt upon these subjects at 'greater length than I had intended, I 'have done so because I have thought it 'my duty, as an unconnected Member of 'Parliament, not to shrink from stating 'my views respecting them. The position of a Minister in this House is very 'different from that of an individual. I 'know how difficult a thing it might be 'for Government, even if they concurred in 'my views, to carry them into effect; and 'I am fully aware of all the inconvenience which would arise from their at 'all hinting at their concurrence unless 'they were prepared to act upon it. All 'I can say is, that ours is a choice of difficulties, and that the course which I have 'suggested would, I sincerely believe, be 'most beneficial to the country. If these 'views are not entertained by others in 'this House, or sanctioned by public opinion out of doors, it would be vain to expect that they should lead, at present, to 'any practical result. But if, at any 'future day, a sense of the public interest 'should induce his Majesty's Government 'to act upon them, I shall be prepared to 'give my most cordial assistance and support towards overcoming the various difficulties which I am fully sensible must 'arise in carrying these views into effect, 'and towards conciliating the feelings of all 'who might continue adverse to their 'adoption.'*

He had thus shown that the opinion of that great man had led him to the same conclusion to which he had arrived—namely, that, from the decreasing capital of the country, and the diminishing wages of the working classes, it was impossible that the present system of taxation could stand; and that right hon. Gentleman concluded by expressing his willingness to support the Government in any future period, should they, entertaining the same views which he held, endeavour to establish a Property-tax even in peace. Now, he would ask, what had happened since 1830, to show that there was less ground for such a measure at present than there was in 1830? Had the state of the country not got worse? Had the state of the working classes not deteriorated? Had the distress not increased? Had the national burthens, had the expense of the Navy and Army—(including the dead weight) not increased—and were not the people less able to pay those additional burthens now than they were then? He said, that they were. That was the real state of the case, and it was useless to evade or conceal it. They ought, therefore, at once seriously to inquire into the causes, and devise remedies for such evils. The inquiry ought not to be delayed. Time was pressing; and the longer the delay, the greater the difficulty in which they would find themselves involved. He did not mean to say, that the country could not stand, or could not pay the necessary expenses for its Government and defence. Far from it. He merely said, that a change of system was necessary to enable it to do so. He would not go into long details on the subject; but he would cite one or two individual cases, which would show the House the deplorable state to which the poor were reduced, and the necessity there was for some relief being extended to them. He found that the Poor-rates in England and Wales amounted, for the year ending on the 25th of March, 1831, to 8,339,087*l.*; and for the year ending on the 25th of March, 1832, to 8,683,461*l.* increase, 344,374*l.*—being an average of four per cent. He would ask if that was not a most important fact, and if it did not show that the condition of the country was becoming progressively worse? He begged them to remember, that this increase took place after a most abundant harvest, and when the necessaries of life were at unusually low prices. The only three English counties where there had been a decrease in the Poor's-rates, were Bedford, Cornwall, and Westmoreland. The greatest increase was in the counties of Somerset, Southampton, Surrey, and Sussex, where they had increased from seven to eight per cent. In Wales, there had been, in Carnarvonshire, a decrease of two per cent only. In Anglesea and Cardiganshire the increase had been nine per cent, and in Glamorganshire eleven per cent. He found, too, that since

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* Hansard (new series) xxiii. p. 604, 607.

1825 there had been a gradual increase in crime in the country, and there could be no doubt that the increase of crime was the effect of misery and privation. The number of criminal prosecutions in England and Wales in 1825, was 14,437; in 1826, 16,164; in 1827, 17,904; in 1828, 16,564; in 1829, 18,675; in 1830, 18,107; in 1831, 19,647; and in 1832, 20,829—so that there was a gradual increase of more than fifty per cent, in seven years. He found, too, from a parliamentary paper, that the amounts paid into the savings' banks in England and Wales, from the 28th of January 1832, to 9th February 1833, was 761,368*l*., and the amount paid out 1,264,118*l*. That was an excellent criterion of the real state of the country, and an undoubted proof that the distress was great, and was increasing and he thought that Government could not avoid inquiring into the causes, and devising a remedy for it. He admitted that it undoubtedly was the duty of Government not to take too gloomy a view of the state of the country, or to alarm the people unnecessarily, but it was likewise its duty not to conceal truth, or, when distress did really exist to evade all inquiries into it with a view to giving relief. He trusted if the Ministers should unfortunately be so disposed, that the House would not endeavour either to evade or postpone the consideration of it. He begged of them not to think that, by postponing or evading the consideration of the national distress the country would come round, or that the distress being merely temporary, would cure itself. He admitted that, during the spring, there might be rather more work than usual; but he hoped hon. Members would not deceive themselves by thinking that such temporary employment betokened any permanent improvement. He was sure that, as soon as the spring work was over, the country would fall back into its former sluggish state, and that if they did not take means to relieve the labouring classes from the burden of taxation they would find the same distress would prevail as formerly. It was impossible, that the people whether they belonged to the trading, manufacturing, shipping, farming, or colonial classes—it was impossible, he said, for them to endure the weight of the taxes. He would, therefore, ask the Government what they intended to do towards their relief? He believed that the Government was disposed to give every relief in their power, he admitted the difficulties with which they had to labour in affording that relief, and he had no desire to enhance them. He had supported the motion of the hon. member for Birmingham on a former evening, but he was not disposed to blame the Ministers for the motives which induced them to oppose the Motion. The opinions of the hon. member for Birmingham were so well known on the subject of the currency and those opinions were so mixed up with his motion which was otherwise vague, and pointed to a remedy which the Government could not sanction, and being unable to support the one without, in some degree, recognizing the others, he must therefore admit that Ministers were justified in having opposed the whole motion. He hardly expected the support of the Government in favour of his Motion but whether they decided on supporting or opposing it, he was determined to divide the House upon it. It could not be said of his Motion that it was vague or unprecedented. The right hon. Gentleman opposite (the Vice-President of the Board of Trade) had, in March, 1830, submitted a motion to the House, which was in substance the same with that which he (Mr. R.) now proposed. That right hon. Gentleman moved—'That a Select Com-'mittee be appointed to inquire into the 'expediency of making a revision of the 'taxes, so that the means of paying the 'sums voted by the House, and all other 'charges for the public service, may be 'provided for with as little injury as 'practicable to the industry and improve-'ment of the country.'[*] The right hon. Gentleman proposed a revision of the taxes. He (Mr. Robinson) now proposed a commutation of them. The noble Lord said—"I cannot give up taxes—I must meet the necessities of the country." He would not ask the noble Lord, the Chancellor of the Exchequer, to give up a single tax without supplying its place. He stood in a position different from those who submitted motions for the repeal of millions of taxes without providing any to supply their place; all of which motions he took to be merely *ad captandum vulgus*; he merely wished that the same amount of taxes should be raised from a different source and class of the people. The right hon. Vice-President, when he brought forward his motion, which he did in a most able speech, was supported by the noble Lord and by most of the members of the present Administration, with the exception of the First Lord of the Admiralty and though he expected that the noble Lord would act on the present occasion in the teeth of the opinion which he had formerly stated, still he (Mr. Robinson) did not mean to say, that he would do so from inconsistency, but merely from a change of the circumstances in which he then stood. He hoped, however, that the noble Lord would excuse him if he quoted his opinion upon that occasion—not for the purpose of pointing out any inconsistency, but merely because he considered the opinion of the noble Lord as the leader of a powerful party while out of office, and of a still stronger party now that he was in, as deserving of great attention. The noble Lord then said that 'He had no 'hesitation in saying that to grant relief 'to the productive population by a reduc'tion of taxes and to impose a Property 'tax to meet the deficiency thus occasioned 'would be a very good measure.' 'He 'was perfectly convinced that it was the 'ill arranged state of the taxes, which, 'more than the amount of the taxes, 'pressed heavily upon the country.'* And the noble Lord for these reasons then supported the Committee. He could not desire a more able or useful ally than the noble Lord; and he would again beg to ask what had happened since 1830 to induce the noble Lord to oppose a motion to the very same effect at the present time as the one the noble Lord then supported. He lamented—and had reason to lament—that because he brought forward a motion in which the Government did not coincide, it should be said, that he did so in opposition to Government; or that if they should be left in a minority upon it, they should be obliged to quit office. That latter doctrine was one against which he protested. So far from wishing that the Ministers should resign should the House decide upon adopting the motion which he was about to make, he hoped that they would confirm the decision of the House by acting upon it. He hoped that the Government would believe that he did not bring the Motion forward in order to embarrass them, on the contrary, his only wish was to take steps which would lead to an investigation of the causes of the distress, and to a commutation of the taxes, as the best means for relieving the people from that distress. Indeed, the appointment of such a Committee would be an advantage to the noble Lord, as it would afford him a ready answer to those who sought for the repeal of particular taxes—to wait until the labours of the Select Committee should be brought to a close. At all events the appointment of a Committee would be of public advantage, as it would show the people that the Reformed Parliament were determined to investigate into the causes of their distress and to adopt means to rid them of their burdens. When the proposition already alluded to was made by the right hon. the Vice-President of the Board of Trade in 1830, it was opposed by the Government of that day on the ground that such a motion was an invasion of the duties of the Chancellor of the Exchequer. But in his opinion it was the right of every Member to make such a proposition. If they allowed the foundations of the prosperity of the country to be sapped, they would bring it into such a situation that the question would at length be, not whether property should pay its proportion toward the expenses of the State, but whether property should remain in the hands of its proper owners? Dr. Smith in his "Wealth of Nations" had advocated the adoption of a Property tax. He said that "The best tax which can be imposed is one which takes least from the pockets of the people and brings most into the Exchequer." The disadvantage of indirect taxes was, that the people paid more than the Government got. Every shop-keeper was converted into a tax-gatherer and upon all the articles taxed the consumer had to pay in the shape of additional profit to the shop-keeper more than the amount of the tax. He therefore said, that they ought to be relieved from indirect taxes, and that a Property tax should be laid on. He hoped that, with these testimonies in favour of the adoption of that measure they would not object to the appointment of the Committee. He anticipated great good from it in many ways, but more especially on account of the moral effect which it would have upon the people, who would then, he repeated, see that the Reformed House of Commons were determined to relieve the distresses of the people, and instead of doing nothing but speaking, they had at last determined to take the burdens of the State off those who had so long borne them, and to place them on the shoulders of those who ought to bear them. The hon. member for Oldham had, on a former occasion, made out a strong case of the unequal and unjust pressure of taxes, in the instance of the Stamp-duties. He (Mr. Robinson) would only add, that the whole of the present system of taxation tended to break down and disable those who ought to be the greatest support and stay of the Government. One of the greatest difficulties which it might be anticipated this measure would meet with, would be on the part of Gentlemen connected with the landed interest, who, he believed, entertained an idea that their property would not admit of the additional burthen of a Property-tax. This idea he considered altogether fallacious. He believed that the landed interest would be in reality benefited by a Property-tax; and he would explain his reasons for this belief, but first he would read to the House the opinions expressed in favour of a Property-tax, by a gentleman whom the House would at once acknowledge to be a very first-rate authority; this gentleman was Mr. Bankes, who on the motion, similar to the present, brought forward by the Vice-President of the Board of Trade said, 'The right hon. 'Gentleman had admitted that a com- 'mutation of taxes had at one time been 'under the consideration of his Majesty's 'Government. He was sorry as such had 'been the case that some commutation 'had not been effected. He thought there 'was no better way of relieving the dis- 'tresses of the country than by commuting 'the taxes which pressed on the lower, 'for taxes which affected the richer, classes 'of society.'* This was the opinion expressed by Mr. Bankes, and he did not doubt but it would have its due effect on the House. For his own part he had never been the advocate or the opponent of any particular class. He could hardly call himself a large landed proprietor, but he possessed land as well as other property, and therefore his personal interest was not concerned in his Motion. He had been obliged to reduce his rents twenty or thirty per cent in consequence of the pressure of the times, but trade and commerce were in a still worse condition than land. He should be far from saying that any particular class of property should be fixed upon as the point for the proposed tax, but he should propose a tax upon realized property of every description. He wanted a substitute for the present unequal taxation, and he should feel great curiosity to hear what arguments the right hon. Gentleman opposite (Mr. P. Thomson) would make use of against this proposition, when he called to mind in what strong language that right hon. Gentleman when not in office supported a motion much the same as the present. His Motion was, indeed, negatived by a majority of eighty-nine; but he found among the minority the following Gentlemen:—Mr. C. Grant, Mr. R. Grant, Lord Howick, Lord Palmerston, Lord J. Russell, Mr. Spring Rice, Mr. Stanley. The Tellers were Lord Althorp and Mr. C. P. Thomson. He confessed that he was extremely curious to hear what the right hon. Gentlemen would now adduce against the principle of a measure which they so strongly advocated in 1830. He would next proceed to state, that the taxes which he proposed should be repealed or reduced were—the whole of the Assessed Taxes, the taxes on Bricks, Tiles, Glass, Hops, Malt, Paper, Soap, Starch, and Stone Bottles; one half of the Sugar-duties, and one half of the Duties on Tea; the duties on Cotton Wool, and the Taxes on Newspapers and Advertisements. All these were taxes bearing most heavily on the labouring and middle classes. There was also that most grievous tax, on the most necessary of all necessary articles of consumption—bread; for he considered the Corn-laws to be in reality a tax on bread; but he was not going to enter into this latter question at present, except to observe how imperative it was upon the House to take it into their most serious consideration; for, by the operation of the Corn-laws, as was stated, in Sir Henry Parnell's most excellent work on Financial Reform, a tax of not less than twelve millions and a half was levied upon the people. These were all taxes upon the necessaries of life. It would, in his opinion be not only useless, but dangerous, for Parliament to agree to a commutation of taxes unless they proceeded to a very great extent. And then came the difficulty, how was the deficit in the revenue to be supplied? He would answer, by a tax on property. But when he proposed such a course, he would not do so without relieving those upon whom the Property-tax would fall from other taxes which they now paid, as well as from the troublesome and vexatious means by which they were collected, He was sure that the money necessary for collecting a Property-tax would be considerably less than what was required under the present system. Sir Henry Parnell, a very competent authority on the subject, stated that the collection of the revenue cost 3,500,000*l.* annually. Now, a very considerable portion of that sum would be saved by doing away with the Excise-laws and the assessed taxes, and adopting a property tax alone. The inequality of taxation was a ground of general complaint. Ireland paid less in proportion than England and Scotland; but there the lower classes were so miserably destitute as to be unable to pay their taxes, even so well as the people of the same class in this country. Surely this dreadful state of things ought to be remedied. The great landed proprietors of Ireland ought to be taxed for the support of that country, and not be allowed to squander the money derived from their lands there in other countries. Having made these preliminary statements, he should now proceed to lay his plan before the House. No Gentleman, be it observed, who might support his Motion, would be bound to adopt his plan. It would be the duty of the Committee, if granted, to examine into the propriety of a commutation of taxes, and in lieu of such as their wisdom led them to commute, they might substitute some species of Property-tax. He knew that there was much difficulty in deciding on that point, which undoubtedly was a very nice one. He should commence a property tax on a small scale, so that it might be further extended should a case of necessity for such a proceeding be afterwards made out. He would, however, go to the root of the evil, and take 12,000,000*l.* or 14,000,000*l.* of taxes from the shoulders of the labouring and industrious classes. This sum he would supply by a Property-tax, but not in addition to the taxes which property at present paid. The persons who would be affected by this tax would experience a considerable reduction of taxation in other respects. He would abolish the whole of the Assessed taxes, because they were the most odious of all taxes. The House and Window-tax was so unequal and unjust in its operation, that there would not be the least difficulty in establishing a strong case for its abolition. The noble Lord knew what an immense number of petitions were laid before the House on this subject, and what a multitude of meetings had been held all through the country to denounce the tax. But then it might be asked: "Do you not retain the taxes on servants, carriages, dogs, &c., which fall on none but the wealthy?" In answer he would say, that the amount derived from them was so inconsiderable it was not worth while to retain those taxes, since it would be necessary to keep up an expensive machinery for their collection. The inequality of assessment with reference to the House and Window-tax was most glaring. It fell heavily upon populous towns, but scarcely touched the agricultural districts at all. Stowe, the splendid seat of the Duke of Buckingham, was rated at 300*l.* a-year, Belvoir Castle the seat of the Duke of Rutland, 200*l.* a-year. The Marquess of Exeter and other possessors of stately mansions were rated in a similar way. In Dorsetshire, a county with which he was well acquainted, he found that there were only four houses rated above 100*l.* Bedfordshire, the same. Durham, three; Worcester, nine; Carnarvonshire, seven, above 40*l.*; Radnorshire, eight at 20*l.*, and none higher. He would therefore, repeal the House and Window-tax, together with the whole body of assessed taxes, to the amount of 4,000,000*l.* He would remove the duties from bricks, tiles, glass, hops, malt, paper, soap, and starch. These taxes he would remove, because they interfered with the industry of the country, and contributed to add to the misery of the labouring poor. Besides, they prevented those articles from becoming objects of foreign commerce. As to malt and hops, every landed gentleman would agree with him on the propriety of repealing the duties levied on them. It was the more advisable that this should be done after the introduction of the Beer Bill, because it would enable individuals to drink beer in their own houses, and they would thus get rid of the complaints which they hourly heard of the evils created by the new beer-shops. This reduction would be about 3,000,000*l.*; making, with the 4,000,000*l.* already mentioned 7,000,000*l.* He would take off half of the Sugar-duties, which would relieve the colonies, and enable the labouring classes to possess themselves of that necessary commodity at a cheap rate. By the reduction of duty on this article, the amount taken from the revenue would be 2,100,000*l.* He also considered it essential to repeal one-half the duty on tea, which was also a necessary of life. Under this head the revenue would be a loser to the amount of 1,600,000*l.* The repeal of this article would become doubly necessary in the event of the anticipated opening of the trade to China; otherwise the smuggling, &c. would be carried on to a dreadful extent; but a repeal of the duty would obviate every fear of this. He should also propose the repeal of the duty on cotton wool. When the noble Lord repealed the duty on calicoes, he said that he could not give it up unless he laid a duty on the raw material. The noble Lord observed at the time that it was against his own feeling, and contrary to the principles of political economy. It ought, therefore, to be removed. Such a blot as a tax on the raw material should not be suffered to remain on the statute-book. The deficiency in the revenue by this would be 360,000*l.* He also proposed to repeal all duties on newspapers and advertisements, on principles which had been repeatedly laid down in that House. Newspapers were the organs for disseminating that knowledge amongst the people which was indispensable to their welfare, and ought not to be taxed; and he considered that the poor were the chief sufferers by the advertisement duties. In this article the loss to the Revenue would be 650,000*l.* Altogether, the loss to the Revenue by the repeal of the taxes which he proposed would appear to amount to 15,710,000*l.* But from this amount he calculated that the House might subtract a large sum, on the principle that the diminution of taxation on articles would promote an increased sale of those articles. If the tax were taken off any particular article, the poor man would of course not only be able to purchase a larger portion of that particular article, but would be also in a condition to buy some other necessary, which, by reason of the tax, he had before been incapacitated from doing. He had taken some pains in making a calculation of the probable addition to the revenue by the alterations he contemplated. The gross apparent amount of the loss to the revenue, by the proposed repeal in taxes, was 15,700,000*l.* From this, however, they must deduct the sum of 500,000*l.*, which, by his calculation, might be reduced in the collection of taxes. Another sum of 500,000*l.* he calculated would result from the increased consumption of sugar, and the sum of 400,000*l.* from the increased consumption of tea, and a fourth sum of 310,000*l.* which would arise from the increased consumption of other articles. Adding these four sums together, there would be produced the sum of 1,710,000*l.*, which, deducted from the supposed total loss to the revenue of 15,710,000*l.*, would leave the amount of 14,000,000*l.*; and this amount he proposed to raise by the tax on property. He should leave the matter in the hands of the House; but he hoped, whatever the fate of his Motion might be, that throughout the country it would have the effect of producing an inquiry into the merits of the present system—namely, whether they could go on as they had hitherto done, calling on Ministers for a remission of taxation, which was incompatible with the public service, because no mode was pointed out to make good the deficiency which such a remission must cause. Was it not more manly—was it not more wise—to look the evil boldly in the face, and to endeavour to overcome it? He asserted that there was, at the present moment, a feeling of insecurity in the mind of almost every man with respect to the stability of property and the safety of our institutions. He did not participate in these gloomy feelings; but he thought that the existing state of things was sufficient to induce that House to inquire into the best mode of relieving that branch of the community which formed the strength of the nation. If they did that, and did it honestly, they would restore general confidence, and they would find that there were resources in the country sufficient to meet every difficulty. Such a proceeding would invigorate the industrious classes, and would give them confidence in the integrity of the House. This would be much better than expending night after night in useless debate, without entering into any inquiry on the subject. He should now make a few observations on the subject of a Property-tax. He was sorry that he could not, consistently with his duty, postpone his Motion, as he had been requested to do; but he wished to obtain the opinion of the House on this question before the Budget was brought forward. With respect to the introduction of a Property-tax, he believed the difficulty of effecting that object arose from the want of firmness in the Government to bring forward such a startling proposition, and want of willingness in people of property to pay such a tax. They said: "Can we afford to pay this, in addition to many other taxes?" Now, he would only ask those gentlemen, if they contributed a greater proportion to the exigences of the State than they now did, whether they would derive no compensation from the plan which he proposed? They would be relieved from the whole of the assessed taxes, and from the duties on malt and hops, &c. Would it be no compensation for the wealthy classes to see the condition of the labouring and industrious classes improved? Would it be no compensation to them to find peace and tranquillity pervading the whole community, and that life, and vigour, and activity, springing up, which were now paralyzed by excessive taxation? Would not such considerations as these induce them to make some sacrifice? But, as an act of justice, he would contend that property was the fit object of taxation, and that labour and industry ought not to be taxed. It was a monstrous anomaly to tax the poor so highly. He had made a calculation of what a working man with a wife and family paid to the State, and he found that it amounted to one-third of his earnings. He would, then, ask gentlemen of property, if they contributed in proportion to the poor man? He would ask those who lived in lodgings, who frequented clubs, and kept no establishment, although they possessed large funded property, and were in the receipt of great incomes—he would ask them what they contributed to the public burthens? And why should they not contribute? Taxes were actually imposed in consequence of this locking up of property. Then, again, great expense was incurred to preserve the peace, and keep down, by the means of civil and military power, those disorders that were engendered by the poverty of the people. He was most anxious, by attending to the calls of the people, to restore that confidence between the poor and the rich which had formerly existed, and which he was sorry to say, was no longer apparent. In consequence of the system that had latterly been pursued, the poor were taught to look on the rich rather as their oppressors than their protectors; while the rich viewed the poor as intruders, who annoyed them with their claims for succour and support. Gentlemen would be astonished at the number of letters which he had received on the subject of a Property-tax. A much more uniform opinion prevailed as to the propriety of laying on such a tax than as to the mode in which it should be effected. Some were of opinion that it ought to be levied on the amount of property funded, and all other property, after it had been valued, subject, of course, to investigation, as to the correctness of the amount; others thought it ought to be levied on the income derived from property; while others were of opinion that it ought to be levied on realized property —property derived from commercial or trading transactions. What the *minimum* this tax ought to be, he would not venture to say, but he felt that if it were not very low they would not be able to raise the necessary amount of revenue. Another question was, whether there should be a fixed per-centage on every amount of property, or a graduated Property-tax—a tax on all income realized by trade, commerce, or professional pursuits? It was his opinion, that the tax should be a graduated one, because he would not take from a man who had only 200*l.* a-year, so large a per-centage as he would from him who had 20,000*l.* per annum. That there was a necessity for some such measure as this was evident. The interest of the public debt was 28,000,000*l.*; the dead weight was 7,000,000*l.*; so that there was only 14,000,000*l* for them to operate on in a Committee of Supply, with all their ingenuity. It was clear, therefore, that they could not effect much by a reduction of their establishments. With respect to their manufacturing industry, foreign nations were gradually approaching this country, in spite of all our manufacturers could do. They were rapidly improving, and they were greatly assisted by mechanics whom distress had driven out of this country. Foreigners were gradually competing with Great Britain in some of her best manufactures. It was only, then, by cheapness that they could hope to secure the foreign market. From the excess of taxation all these evils had arisen. Hence competition had become excessive, and hence lowness of profits, and lowness of wages, and hence all the evils of the factory system, and of that pauperism which had overspread the land. It was becoming the Legislature, therefore, to look fairly and manfully into the state of the country. They ought without procrastination, and without evasion, such as had heretofore been used, to look at the distress of the country with a view to giving relief. The noble Lord, the other evening, admitted the existence of distress, and he certainly was afraid, if the Session passed away without inquiry, that they would disappoint the expectations of the people and produce consequences the most fatal to the interests of the country. He admitted that the noble Lord desired to do what he could, to improve the condition of the people, and he could not think with the hon. member for Bridport, that if any motion of this kind were carried against the Government, that the Government must retire. He had no reluctance therefore, to make such a Motion, and trusted that if it were carried, means might be found to ease the burthens of the country and lighten the present great pressure of taxation. The hon. Member concluded by moving—"That a Select Committee be appointed to consider and revise our existing taxation, with a view to the repeal of those burthens which press most heavily on productive industry, and the substitution of an equitable tax on property in lieu thereof."

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[*] Hansard, (new series), xxiii p. 896

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* Hansard, (new series) xxiii, pp. 908, 909.

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* Hansard, (new series,) xxiii, p. 904

Mr. *Warburton* rose to second the Motion. After the remarks which the hon. member for Worcester had made on him, the hon. Member could hardly expect that he would rise to second his Motion; but he was desirous of doing that. He could assure the House that there was no concert between the hon. Member and him. He had no objection to support a Motion for a specific inquiry; but he had opposed the Motion the other evening, because it was of so wide and vague and comprehensive a nature, that, had it been carried, all the petitions complaining of grievances, presented in the whole Session, ought necessarily to have been referred to that Committee. He objected to that Motion more particularly, because there was one subject of the inquiry which went to rescind all the contracts of the country. He objected to the extensive nature of the Motion the other evening, but he approved of the principle of this Motion. He considered it specific enough to engage the attention of a Committee, and therefore he seconded it. He had formerly been taunted, when he introduced a Bill for regulating the single subject of tobacco, with taking upon himself the office of the Chancellor of the Exchequer; but if his Motion were liable to that objection, how much more was the Motion liable to it which had just been made, and which he seconded. It should, however, be well considered, that our system of taxation was most complicated; and though it undoubtedly required modification, there was great difficulty in meddling with it. The system had so extended itself into all branches of business, that it could scarcely be touched in any branch, without creating, on the part of some of the people, a demand for compensation, or a cause of complaint. Thus, to allude only to the Auction duties—which the hon. member for Oldham, had on a former evening, brought under notice—if they were taken off, would not all the shopkeepers who paid heavy House and Window Taxes immediately complain? Would they not say, that they were subject to heavy taxes for everything they sold in their shops, while those who sold by auction, and kept up no establishments, were exempt from such duties? He stated that as an example to show that it was not so easy, however important it was, to give facility to the transfer of property—to make changes, as to propose them. This was only a sample of the complicated system which had extended itself over the whole country. The hon. member for Oldham had complained of the inequality of the taxes: but it belonged to this complicated system—it was a necessary part of it—that the taxes should press unequally. It was not necessary to specify the unequal pressure of particular taxes, for that was a vice which belonged to the system. It was the nature of taxation so complicated as ours that it was not easily altered, while that system was liable in every part to serious objection. The hon. member for Worcester proposed to tax property, though he did not know whether the hon. Member meant to tax property only, or property and income. He would say, that if the tax on property were to be permanent—if it were not merely a war tax—it would not be doing any injustice to tax income as well as property. If such a tax were permanent, it ought to fall on annuitants as well as others, for it would only touch them as long as they received the annuity. The objections chiefly made to a Property tax formerly were, that it was very unequal and unjust to tax property and income at the same ratio; but make the system permanent, and not temporary, let it not be merely a war tax, and that objection would disappear. Without entering into any question as to the propriety of taxing small incomes, though perhaps small incomes should be exempt, he saw no injustice in taxing income derived from funded as well as other property. A tax of ten per cent, falling for one year on an annuitant would take ten per cent away from his income; but at twenty years' purchase the proportion of the annuity taken by such a tax would not be near so large. It had been proposed by a very eminent man—to mention whom was to praise him — Mr. Ricardo, that efforts should be made by a general taxation on all the property of the country to pay off the National Debt. His plan was, to lay a tax on every species of property, land, capital, and income, for the redemption of the debt. The leading objection to that plan was, that it was impracticable. The land-owners could never have been brought to consent to renew and change all their mortgages to attain such an object. A new modification of Mr. Ricardo's plan had lately been proposed by a gentleman who had been employed in collecting the Income Tax. That gentleman's name was Sayer, and he would recommend his book to the perusal of hon. Members. His plan differed from Mr. Ricardo's, by his proposing to leave it optional with every capitalist and landlord to pay off his share of the National Debt. If the person was unable or unwilling to redeem his share, why it was to remain, and be collected as before, but if he chose to wash his hands of this tax, why it was to be at his option to redeem it. If the subject should ever be fairly taken into consideration, this plan of giving landlords the option of redemption would relieve it of its impracticability, and make the scheme be desirable. The Land Tax might be taken as an illustration, the redemption of which had been allowed on a similar principle. It had been objected to a Property Tax—that it was one which any Government could easily extend. In his opinion it was much more difficult for a Government to increase such a tax than indirect taxes. The indirect taxes were mixed up with the prices of the articles, and the taxpayer never knew either when he was paying a tax, or how much he was paying. But the tax collected on property, brought the tax-collector immediately into contact with the citizens; and in the collection of no tax did so much friction interfere between the citizen and the payment, to stop the Government from running too fast as in a Property Tax. In his opinion, the plan proposed by the hon. member for Worcester was not comprehensive enough. If a Property Tax were established at all, it ought to supersede all other taxes, otherwise the change was scarcely desirable. If they raised the same amount of taxes, it was not of much importance whether it were raised by one method or another; for the ability of the people to pay fifty millions of taxes would not be much increased or diminished by the method of collecting it. The hon. Member's plan left three millions behind for collection. It left all the evils and expenses of indirect taxation —all the expense of boards and collectors —which ought to be got rid of as far as possible. Should the noble Lord, the Chancellor of the Exchequer, consider it proper to recommend a Property Tax, he hoped the noble Lord would make so extensive, so sweeping a change, that he would remove the whole mass of indirect taxation. The plan of an Income tax, redeemable at option, would not be liable to any objections of being a breach of faith, such as was implied, he believed, in the Motion of the hon. member for Birmingham. It would leave all existing contracts untouched—it would remove taxes from the industry of the country, and it would place these taxes where they could be best borne—on the large capitalists, and on the large landed proprietors, and on those who ought to bear the heaviest taxation. Against any Motions made with a view to break faith with the public creditor, or to commit a breach of contract, he should come armed with this suggestion of Mr. Ricardo, and say, that it would be far better to impose an Income and Property Tax, than consent to any such Motion. To any Motion implying a breach of faith, he should always give his opposition; and that was one reason why he opposed the Motion already alluded to on a former evening.

Question put.

Lord *Althorp* did not accuse the hon. Member who brought forward the Motion of any intention to embarrass the Government. On the contrary, he thought it was a fair Motion, and the hon. Gentleman had brought it forward only, he believed, with a view of stating his own opinions to the House. He did not object to the Motion, because it was his duty, as a Member of his Majesty's Government, to bring forward, if necessary, such Motions; for if the hon. Member chose to save him the trouble of making a financial statement to the House, he should not make any serious objection. He must first allude to what the hon. Gentleman said of the duties of his situation. He admitted that the duty of his situation was to state the truth concerning the affairs of the country. He had always endeavoured to do that. Nothing was so absurd or so injurious as for a statesman to boast of a prosperity which did not exist. At the same time it was his duty not to overlook any advantages, and he was not bound to make the public distress greater than it really was. It was his duty at all times, and on every topic, to state to the House fully and fairly, exactly what he thought on the subject. With respect to what the hon. Gentleman said of his having given his assent to a similar Motion in 1830, when made by his right hon. friend (Mr. Poulett Thomson), it should. however, be remembered that the Motion then made was for the revision of taxation, and it did not apply to a Property tax. At the same time, he would fairly admit, that he had on that occasion used expressions such as those the hon Member alluded to, and had expressed himself favourable to a Property tax. He knew that he had stated, that, though he was opposed to a Property tax in 1816, yet subsequent experience taught him that it might be adopted. He stated then in 1830, that this change of opinion had been brought about by longer experience. But since 1830, he had had a great deal more experience, and experience of a kind calculated to take more effect on his mind than any experience he had had before. His opinion in 1830 certainly was, that a change might be made in the taxation of the country; but, if he had then seen the many difficulties which had since been thrown in the way of making such an experiment, he should probably not have been of that opinion. What was the first financial statement he made to the House? Was it not for a commutation of taxes? Certainly it was, and the experience he then acquired, showed him that such a proposition was not so easily carried into effect as he had before supposed. What did he find then? Every facility was given him by the House to take off taxes; but there was an extreme difficulty to impose taxes in lieu of those removed. He recollected the objections then made by the hon. member for Whitehaven; the hon. Member said, it was "half peace—half war." He was ready to admit, that a commutation of taxes sounded well—a commutation that was to make a more equal distribution—to take off the taxes which pressed on industry, and lay them on more equally; but in practice that was not found so easy or so desirable. The destruction of capital which it produced, the disturbance of trade, the imposing of a new tax on one, and taking it off another class, made the commutation of taxes interfere with many interests. It was not so good in practice as it was perfect in theory. With respect to the principles of taxation laid down by the hon. Gentleman, he agreed in them. The taxes should certainly be removed from the labouring classes, and laid on property. But the difficult question was, to know what taxes pressed most on labour. The hon. Gentleman said, that taxes should not be laid on articles of the labourers' consumption; but, in his opinion, taxes which interfered with the employment of labour, pressed more severely on the labourer, than taxes on articles of his consumption. Therefore he thought, that in taking off taxes, they ought rather to consider whether the taxes to be removed interfered with the employment of labour, than whether they fell on what the labourer consumed. Another point to be considered was, whether a tax was popular or not; for, certainly, one object should be so to regulate taxation, that it should be paid in such a manner as to give satisfaction to the people. It was not necessary for him then to go into the question of the inequality of taxation; he acknowledged that it existed, but that he believed was a necessary part of the system. It was impossible, he believed, to regulate taxation so as to fall only upon the rich. The great mass of taxation must necessarily fall on the middle classes, and, at least, a small part on the labouring classes. The hon. Gentleman proposed a large, an enormous reduction of taxation. The hon. Gentleman stated it at 15,000,000*l*., he should, however, say that the proposition of the hon. Gentleman would go the length of reducing taxation to the amount of 17,000,000*l*. The hon. Gentleman said, that the whole sum of 15,000,000*l*.; or 17,000,000*l*. would not be lost to the revenue, but a part of it would be made up by increased consumption. He admitted that, and even thought, that the increased consumption would furnish a larger compensation than the hon. Gentleman supposed. The hon. Gentleman supposed that the 15,000,000*l*. reduced would, in fact, only take away 14,000,000*l*. from the revenue; but he should say, that it would not take away above 12,000,000*l*. But in the case of a Property-tax, proposed by the right hon. Gentleman, there would be no increased power of consumption. It would remain the same. That tax would fall on the rich, and the amount they consumed would remain about the same. By removing a Property-tax, they would not increase the consumption of the rich in the same manner as they would increase the consumption of the poor, if they took off taxes which raised the price of what they consumed. His hon. friend had not adverted to the amount of taxation which he proposed to raise; he presumed, however, that the intention was to raise, by means of a Property-tax, an amount of taxation equal to the sums levied by the taxes to be reduced. He would, therefore, call the attention of the House for a few minutes to the Property-tax which was taken off in 1816. The amount raised by this tax was 14,500,000*l*. If they looked to the sources whence that sum was derived, they would find that the tax was intended to bear on professional incomes, and on the profits of trade, as well as on incomes arising from realized property. From the various evasions to which this mode of taxation was liable, it became difficult to ascertain the true amount of professional incomes, or trading profits; and the consequence was, that a very disproportionate part of the whole amount was derived from fixed incomes. He would also call on the House to remember what was the value of money at the time when a Property-tax existed? If they would look to that point, it would lead them to the conclusion that an Income-tax of ten per cent would not now produce so much as the Property-tax of 1816. Now, he would ask any Gentleman of experience, whether the introduction of such a tax would not have the effect of driving capital out of the country? A Property-tax was suited to a period of war, rather than to a period of peace. During war, there were many counteracting circumstances which prevented capital from being withdrawn. But if, in a period of peace, property were to be deprived of so large a proportion of its emoluments, the natural consequence would be, the withdrawal of capital. His hon. friend, the member for Bridport, had said, that he would take off all indirect taxes, and substitute a Property-tax. But he (Lord Althorp) was assured that any attempt to raise 52,000,000*l*. per annum by means of a Property-tax, would produce such an effect upon capital, as would strike a most fatal blow at the prosperity of this country. His hon. friend said, that the Property-tax which he proposed was to be a graduated one. Now, he was perfectly free to admit, that every man should pay taxes in proportion to what he enjoyed; and, if it were possible to invent any system which, without these disadvantages, could effect that object, it would be the perfection of taxation. But, in reference to a graduated Property-tax, he could not see upon what principle they were to go. It was nothing more nor less than saying what amount of income a man ought to have. When they laid a greater tax on a man possessing 20,000*l*. per annum, than on a man possessing 1,000*l*. a-year, what was it but saying that the man of 20,000*l*. a-year had too much property? If the principle were to be carried out to that extent, it would come eventually to the equalization of all property. Nothing could be so dangerous as to hold out such a prospect. He did not, however, mean to pledge himself that, to a certain extent, he might not go along with the hon. Gentleman; but he did not think it desirable at the present time that the House should entertain the subject of the commutation of taxes with the view proposed by the hon. Gentleman. If the hon. Gentleman possessed the experience which he possessed, the hon. Gentleman would know, that, by taking off taxes, great individual distress was produced. That, certainly, he admitted, was no reason for not taking them off, though, unless the case were one which particularly called for it, he thought it desirable that the House should not encourage such commutation. He did think, however, that in one case where he commuted a tax, the commutation had proved advantageous to the country. The case he alluded to, was that of taking the duty off printed calicoes, and placing it on the raw material; although, he admitted, that to place a duty on the raw material was contrary to general principles. He could not consent to this Motion. Were he to do so, he should be throwing on a Committee of that House a duty which was properly imposed upon himself. It was his duty to inquire into and consider what taxes could be reduced most advantageously to the public, and that was one of the first objects to which he must and should always apply himself. He was anxious, perhaps too anxious, when he first entered office, to afford immediate relief to the people; but he had now gained a little more experience, and he could assure the House, that he felt it his duty to give this subject his most serious consideration.

Mr *Cobbett* would vote for the Motion of the hon. member for Worcester, not because he thought a graduated Property-tax just, but because he thought it right to get rid of the whole of the present system of taxation. A graduated Property-tax was neither more nor less than confiscation. The House must see—Ministers must see—that in all measures of taxation introduced, the poor were ground down and oppressed, while the rich were allowed to escape almost scot free. Under all the circumstances of the case, he felt bound to support the Motion which had been so ably brought forward by the hon. member for Worcester.

Mr. *Hume* congratulated the hon. member for Worcester upon the change of opinions which had taken place in his mind. He agreed with those hon. Members who said that taxes ought to be reduced, and, most of all, those taxes which pressed most heavily upon the working and industrious classes of society. The taxes upon society pressed most unequally. While there was no more than one per cent imposed upon the rich man, an amount of eight, ten, twelve, or perhaps twenty per cent was imposed upon the poor man. He must here observe, that he was surprised at what had fallen from the hon. member for Oldham; namely, that the imposition of a Property-tax would be nothing short of confiscation. It certainly was true, that every tax was a confiscation to that amount; but then it was a confiscation which could not be avoided, as it was required for the purpose of carrying on the Government of the country. The only question was, how they were to raise the taxes necessary for the support of the State, so as to inflict the least possible evil on the community that paid them? And he would ask the hon. Gentleman, whether experience had not proved that a direct tax on property was levied for about one per cent; and, whether it was not a greater confiscation to levy taxes as they were now levied, indirectly, at a cost of 6*l.*, 8*l.*, or 10*l.* per cent.? The principles, with regard to taxation, which he laid down, and to which he requested the concurrence of the hon. member for Oldham, were, that not one shilling more should be raised than was absolutely necessary; and, secondly, that the necessary amount should be raised at the least possible sacrifice. The only objection that he had to a graduated Property-tax was, its utter impracticability, on account of the evasion to which it was liable. He thought, however, that by taking off the taxes on soap, paper, and other excisable articles, and laying on a Property-tax in their stead, the noble Lord would afford great relief to the working-classes. He hoped the House would not suffer itself to be led away by the observation that a Property-tax would lead to an equalization of property. The fact was, that ultimately the whole of the taxes of the country were paid by capital; and he was satisfied that the capitalist, whether agriculturalist or otherwise, would find himself much better off by paying taxes directly than indirectly. He agreed with much that had fallen from the noble Lord opposite, and also from the hon. member for Worcester; but he thought it was a subject which would be brought forward by the Treasury Bench with more advantage than if it proceeded from a Committee. Approving, as he did, of the general principles laid down by the noble Lord, he could only express a hope that he would act on them as speedily as possible.

Colonel *Torrens* said, he would vote for the Motion of the hon. member for Worcester. Though he had paid considerable attention to the question before the House, yet, upon a subject so extensive and important, he would not venture to obtrude his opinions upon the House, were it not that they coincided with those of some of the most eminent statesmen who had guided Parliament and the country. It was well known that Mr. Huskisson, in one of his latest speeches to his constituents at Liverpool, had declared it to be his opinion that the industry of the country was so much oppressed, that it had become necessary to raise the public revenue by transmuting taxation from the active capital which gave employment to labour, to the fixed and dormant property from which merely revenue was derived. The principle of relieving the country from its oppressive burthens had also been propounded by the late Mr. Ricardo. He (Colonel Torrens) had heard with great satisfaction the encomium passed upon that eminent man by his hon. friend, the member for Bridport. The late Mr. Ricardo was a man whose memory ought not to be lightly treated in that House. It was not becoming, it was not decent, to treat his memory with disparagement or disrespect. Born without fortune, he created a princely one; self-educated, he attained the highest place in political philosophy; coming late in that House, he gradually acquired a lead and an ascendancy in it; and, be it remembered, that that ascendancy was acquired in other days than these. It was acquired when Romilly and Mackintosh—when Tierney and when Brougham sat on those seats—and when Huskisson and Canning occupied the Treasury Bench. It was not becoming—it was not decent—to treat the memory of such a man with disrespect. His moral worth was equal to his intellectual power. He had an ardent desire for esteem, and no human being ever succeeded more completely in obtaining it. To his family and friends, he was an object of affectionate admiration; and it was impossible to approach him without feeling that he was a man made to be loved. Mr. Ricardo left his place in that House not likely soon to be occupied, and a void in the hearts of his friends which never could be filled. He begged pardon for this digression. He would now direct himself to the question before the House. Throughout the country there existed amongst the industrious classes general and grievous distress. It was acknowledged, that a large portion of this distress arose from the pressure of taxation; and it was admitted that the most effectual relief which this House could afford, was by taking off the pressure of taxation. But how was this pressure to be removed? Thirty-four millions of the taxes were absorbed by the interest of the debt, and there remained only 20,000,000*l.* which could be diminished by the reduction of the public establishments. Now, no possible reduction in the establishments of the country could afford any adequate relief while the people paid, out of the produce of their industry, 34,000,000*l.* for the interest of the debt. Relief could be obtained only by shifting taxation from industry, and placing it upon the fixed and immovable property which was expended without putting industry in motion. And here he must dissent from the noble Lord, the Chancellor of the Exchequer. The noble Lord had just said, that if the proprietors of fixed property were taxed, their revenue would be diminished; they would consume less, and therefore the indirect taxes would become less productive. He (Colonel Torrens) dissented from this. If a landed proprietor, who received 100,000*l.* a-year, paid 10,000*l.* a-year as a Property-tax, this 10,000*l.* a-year would still exist as revenue in the hands of those to whom the Treasury paid it; the whole unproductive income of the country, though differently distributed, would remain exactly the same in amount, and the consumption could not be diminished, nor the revenue derived from indirect taxation be reduced. The noble Lord had stated another position, from which he (Colonel Torrens) must dissent. The noble Lord had said, that were a tax upon property imposed, capital would immediately be drawn from the country, in order to evade the tax. This could not be, were taxation confined, as it ought to be, to fixed and immovable property. Such a tax, instead of driving capital out of the country, would draw capital into it. What was the great evil of taxation? The evil consisted in this—taxation, as now imposed, took so large a portion of the produce of industry from the producers, that profits and wages were reduced. But if you took off all taxes from productive and active capital giving employment to labour, and placed them upon the rent of land and upon the dividends received from the debt, neither profits nor wages would be reduced. On the contrary, the profits derived from the employment of active capital would immediately increase, and to obtain the increased profits capital would flow into the country, trade in all its branches would improve, and the demand for labour and the wages of the labourer would both increase. There was one objection to the transfer of taxation from industry to fixed and dormant property, which, before he sat down, he would notice. It was contended that such a transmutation of taxation would be contrary to the principle of justice. He (Colonel Torrens) contended that it would be conformable to the strictest principle of justice. In the first place, the value of fixed and dormant property was regulated by the quantity of floating and active capital employed in conjunction with it. It was the capital of the farmer which gave value to the land of the proprietor; it was the capital employed in setting productive labour which paid the rent of the houses in our manufacturing and commercial towns. When you taxed active capital, and thereby reduced profits and wages, you thereby diminished the rent of land and of houses; and when you relieved industry from taxation, and thereby increased the surplus produce created, you, at the same time, increased the only fund from which the revenue of fixed property and of dormant capital could be derived. But there was another most important consideration connected with the principle of justice. Upon what principle of Justice could we tax the produce of the labourers yet unborn? The possessors of fixed property might dispose of that property as they pleased, and, to protect the whole, might mortgage a part. But by what right could any existing generation preserve their property by taxing the industry of future generations? It was contrary to all the principles of national justice to call upon the industrious classes of this country to pay the interest of a debt incurred for the protection of fixed property. The people must be relieved, and they could not be effectually relieved while industry paid the interest of the debt. The fixed property of the country, for the protection of which the debt was incurred, should be made to pay the debt. This was what justice demanded, and from the Reformed Parliament the people expected justice. If relief were not afforded, and if justice were not done, a spirit of discontent would arise far greater than that which the Reform Bill had allayed. On these grounds he should vote for the Motion of the hon. member for Worcester.

Mr. *Hoy* was glad to hear the opinions which had been uttered by the noble Lord, the Chancellor of the Exchequer, and he should certainly vote with the noble Lord. Since he had been on the Treasury Bench, the noble Lord had learnt that a transmutation of taxes was not beneficial to the country. Employment, he agreed also with the noble Lord in saying, was of more consequence to the people than the mere remission of taxation. If fifteen millions of taxes, for example, were remitted to fifteen millions of tax payers, the relief to each would not be more than three farthings a-day. It was, therefore, clear that employment was of much more importance to the labouring classes than a diminution of taxation. He agreed with the hon. member for Oldham that a graduated Property-tax would be nothing more nor less than a system of confiscation.

Mr. *Walter* said, that he should obtrude himself on the House for only a few minutes, in order to explain the grounds of his vote on this important question. The Motion brought forward by the hon. Gentleman was of a nature totally different from that made by the hon. member for Birmingham last week—was not liable to the same exceptions, and therefore ought not to undergo the same fate; though even that Motion died an honourable death, from the interesting nature of the subject to which it related—namely, the distresses of the people. But that Motion was general; and on that account was, he thought, properly rejected, as it proposed inquiry only. This Motion was specific, recommending to the consideration of the House a method of alleviating the public distress, or at least of abating the public dissatisfaction. He begged the House to consider what were the feelings of the country on the present state of taxation. No one imagined that the taxes could be wholly relinquished—that the Government of the country could be carried on without them; yet the cry against taxation was universal, and, in many respects, he thought, just. An hon. Baronet had, a few days ago, proposed the abrogation of the Malt-tax; he meant to have included the tax on hops in his proposition. The Assessed-taxes were generally and earnestly declaimed against; that portion of them which pressed unfairly on the houses and windows of the middle and industrious classes could not, he believed, be maintained much longer. The duty on fire-insurances, on soap, on stamps, on probates of wills, were all exclaimed against and execrated, as partial, oppressive, and cruel; yet if all these were repealed, where would be the revenue to carry on the Government and to pay the interest of the public debt? It followed, then, as an incontrovertible inference—as an undeniable logical conclusion—that if the people of this country acknowledged, as in common justice they must, the necessity of a revenue for the support of Government, and yet expressed their abhorrence of almost every existing tax for which revenue was raised as unjust or impolitic, that, in order to give relief and produce satisfaction, the whole system of taxation must be changed; it must be fixed upon other objects; or the burthen must be so placed, after being lightened as much as possible, as to bear, in a very different ratio from the present, on the several classes of the community. What could be the result of all this, but that a tax upon property—not upon industry, not upon ingenuity and talents, which were the most productive forms in which industry displayed itself—but that a Property-tax, fitly graduated, should supply the place of all other taxes, against which there was so just and general an outcry. In speaking of a graduated Property-tax, he meant such as should apply only in the case of smaller incomes; he thought it would be objectionable to apply the principle to the case of large fortunes. Whoever in that House was an advocate for the repeal of any of the obnoxious taxes which he had just described—the Malt-tax, the Assessed-taxes, or any of the remaining host of nameless taxes by which the middle orders of society were oppressed, and social life disturbed and harassed, must, he should conceive, vote in support of the present Motion; or, by opposing it, deny to the Government the necessary means of self-preservation. He conceived, then, upon every ground, affecting as well the popularity of the King's Government as the character of the Reformed Parliament and the feelings of the whole constituency by which it had been elected, that the present Motion ought to command the assent of his Majesty's Ministers and the House of Commons. The question was one which went home to the common sense of every order of men in the nation. It was eminently a practical subject: there was nothing speculative, nothing fanciful, nothing Utopian in it. The people from one end of the kingdom to the other were anxiously looking forward to some measure which should conduce to their solid and permanent relief; and considering to what little purpose two months of the Session had been already expended, and how small a portion of the public expectation had to that hour been satisfied, he feared their constituents, if a Motion of this nature were rejected, would ask universally: "Of what use is your boasted Reform?"

Mr. *O'Connell* said, he would vote for this inquiry. Adopting the sentiment of the last speaker, he would say it was inconsistent with common sense to refuse inquiry on the grounds which had been stated. The Motion did not pledge them to a Property-tax. All they had to do was to consider if it was proper to institute an inquiry whether the system of taxation might not be so altered as to press more upon property and less upon industry. The system of taxation at present was extremely unequal. The Assessed Taxes pressed heavier on the poorer classes than on the richer; and the small house in town was rated high, while the great house in the country was assessed at a comparatively low rate. The Stamp-duties also bore heavier on the lower classes than on the higher; and the excise in general was liable to the same objection. Nothing, indeed, was so blameable in point of principle as the excise with respect to improvements in manufactures. It seemed in fact actually to prohibit improvement, by introducing into the workshop a species of tyranny exercised by excise officers, without whom the imposts could not be enforced. It was a domestic and legal despotism which rendered changes in the process of manufacturing and of course improvements, almost impossible. The Motion did not, of necessity, involve any consideration of a Property or Income tax. It was merely a Motion for an inquiry. The House had already rejected a motion for an inquiry into the distress of the country; and since no relief hitherto had been promised, it was at least the duty of a Reformed House of Commons to inquire. For these reasons he should vote for the Motion.

Mr. *Poulett Thomson* did not wish to protract a debate which was evidently drawing to a close. But having been pointedly alluded to by the hon. member for Worcester he must state, as concisely as possible, the opinions which he entertained upon the subject. He must first, however, congratulate the House upon the generosity which the hon. and learned member for Dublin had displayed in supporting the Motion of the hon. member for Worcester. From the terms in which the hon. and learned Member's observations were couched he could scarcely have heard the proposition, because he said that the Motion of the hon. member for Worcester was nothing more than a proposal for a Committee to inquire into the mode of distributing taxation, without having for its object the adoption or substitution of a Property-tax. It was plain that the hon. and learned Member, when he said that, could not have heard the Motion as it was submitted by the hon. member for Worcester, because it contained not only the terms which, the hon. Member said, formed no part of it,—but the substitution of a Property-tax, for those which it was supposed bore more immediately and oppressively upon the people at large was clearly and avowedly the view taken of the subject by the hon. mover himself. One of the propositions, indeed of the hon. mover, and the argument upon which it was rested, was this—that whereas the Assessed Taxes which he proposed to remit were not at present paid by Ireland—a Property-tax if adopted, would be paid by that country. How the hon. and learned Gentleman then could suppose that in going into the proposed Committee the only consideration would be how taxation might best and most advantageously be transferred from one article of consumption to another, and not how a Property-tax might be substituted for the Assessed and many other taxes it was difficult to conceive. He gave the hon. and learned Gentleman the benefit of the view which he had taken of the question, and repeated his acknowledgment of the great generosity which he had exhibited. But he was anxious to draw the attention of the House to the specific Motion of the hon. member for Worcester, which, however it might have been overlooked by the hon. and learned member for Dublin, was that upon which he rested his defence against any charge of inconsistency that might be brought against him for offering his opposition to it. The hon. member for Worcester had done him the honour to speak in terms of praise of a motion which, two years ago, he had submitted to the House; and the hon. Member asked how, consistently with his conduct on that occasion, it would be possible for him to oppose the Motion. The whole difference rested in this; that, whereas he proposed an inquiry into the taxation of the country, with the view of repealing some few taxes which he then designated—an inquiry, in fact, into the possibility or probability of augmenting the revenue derived from the tax upon some articles, by reducing the amount of the impost upon others; the Motion which the hon. Member proposed was for a sweeping repeal of taxes, amounting to not less than 17,000,000*l.*, and the substitution in their stead of a tax upon property. Upon the occasion to which the hon. Gentleman had alluded, it was argued that the result of his motion must be the imposition of a Property-tax; but he expressly guarded himself against such a result; and a right hon. Gentleman on the opposite side of the House, who was opposed to a Property-tax, agreed in the Motion, and gave it his very able support. That was, in his opinion, a sufficient ground for the opposition which he meant to give to the Motion under consideration. But there were two other grounds upon which he should oppose it. In the first place, he did not consider it advisable to refer a great question of principle, which should only be determined by the whole House, to the consideration of a Select Committee. If it were the general opinion that it was advisable to introduce a Property-tax in lieu of other taxes, let the principle be fairly discussed and debated in the House; let the arguments for and against the question be stated within those walls; and let any Gentleman who came down with such a proposition (upon which he would give no opinion whatever) let any Gentleman at least who came down with such a proposition, give the House at the same time some plan by which he would wish to have the transmutation made; and not tell the House as it had been told to-night "impose a Property-tax, or an Income-tax, which you will, or which you think best—we tell you which are the taxes we wish to have taken off, but we do not pretend to explain to you the nature of the tax which we wish to impose." The other ground upon which he should oppose the Motion was this; that, under present circumstances, the Government was not in the same condition to repeal taxes as at the time the motion alluded to by the hon. Gentleman was made. Since that period, his noble friend, the Chancellor of the Exchequer, had taken off nearly the whole of those taxes, the repeal of which he then advocated. Upon that occasion he stated to the House that the taxes which he was anxious to see repealed, were those upon hemp, barilla, candles, glass, paper, and printed calicoes, making a total of 2,814,000*l.* Four of these six taxes had since been repealed entirely, and the repeal of a fifth, the tax upon glass, was attempted, but in consequence of difficulties which arose, his noble friend was obliged to abandon his project. He said, then, with reference to this part of the subject, that the circumstances in which the country was placed were no longer the same, since the greater number of those taxes which were specially designated by him as obnoxious, had since been removed from the statute-books of the country. Coming to the second part of the question, namely, the propriety of substituting an Income or a Property-tax in lieu of all those various taxes which the hon. Gentleman had detailed to them, he must say, that there was no part of the speech of his noble friend, the Chancellor of the Exchequer, in which he more cordially and more heartily concurred, than that in which he said, that although great advantage might ultimately result from a change of taxation, its immediate effect must be to produce considerable disturbance in the various interests of the country. Unless, therefore, the strongest grounds were laid for a change in the system of taxation; and except, after long consideration and a duly weighing all the interests of the country, it would not be wise to undertake it. That a change, in some instances, might be carried into effect with advantage no man could doubt, but when they came to such an extensive and general change as that proposed by the hon. member for Worcester, the effect would be, to unhinge many of the best and most valuable interests in the country at the same time it would utterly fail of producing any of the benefits which the hon. Member seemed to expect from it. But in stating this, he must also observe, that he was far from wishing to express himself altogether unfriendly to the principle of change, and the substitution of Income or Property-taxes, for those which bore more immediately upon the necessaries or conveniences of life. He regretted, however, that no Gentleman who had spoken upon this occasion had favoured the House with any precise explanation of what he intended by a Property-tax. The hon. member for Worcester stated that of the three projects which he named he should prefer a graduated Income-tax, pressing more immediately and more heavily upon fixed or realized property, than upon incomes derived from professions. The hon. member for Bridport laid down, in his opinion, the only fair rule by which it would be possible to fix a tax of this kind; but then the hon. Member attached to it the condition that it must be permanent, making it quite evident that, in its origin, it must be unequal and unjust; because capital upon which the tax would, in the first instance, be levied, would naturally be invested for different degrees of duration. For instance, some capital was vested for ten years, to be returned in ten years, while other was vested in perpetuity. Of course, the income derived from the capital vested for ten years, only, would be greater than that derived from capital vested in perpetuity. To levy the same tax, then, upon incomes derivable from property so differently vested, would be manifestly unfair and unjust. The hon. member for Middlesex, to his utter astonishment, had that evening come forward as the advocate of a graduated Property-tax. It was with great satisfaction that he heard from the hon. member for Oldham, his entire repudiation of such a scheme; and he fully concurred in the propriety of designating it a "confiscation of property." In his opinion, that was the proper term to apply to such a tax. That the hon. member for Middlesex, who professed to be guided by the principles of political economy, should have advocated a tax which struck at the root of one of the first objects of that science—the accumulation of property—appeared to him to be utterly inconceivable. The result of his proposition would be, to fix a limit to the amount of the fortunes of every individual in the country, and to put a total and complete stop to the accumulation of property. It was undoubtedly in the power of the House to do that; but he asked whether it could be considered just, or wise, or prudent, to adopt such a course? But the hon. member for Oldham, whilst he decried the scheme of a graduated Property-tax, asked why the House continued to impose an unequal tax upon the poor through the medium of the Stamp-duties. Into that question he would not at present enter; but it certainly appeared to him that there was this very simple reason for the inequality of which the hon. Member complained; namely that it would be unwise to ordain a tax which they could not by possibility collect. If the House were to endeavour to impose the same rate of taxation upon stamps for a large amount, as upon stamps for a small amount, no doubt could be entertained, but that means of avoiding the duty would very soon be found out, and that, in point of fact, stamps for a large amount would never be used. If, in the instance of bills of exchange, the duty were increased in proportion to the sum, the cost of the stamp for a bill drawn upon a merchant in London, at a few months' date, for 1,000*l.*, would be somewhere about 70*l.* This might have the effect of reducing exchanges to barter, but it certainly would not operate to relieve the poor from any part of the taxes which they were compelled to pay. Throughout the whole of the discussion no definite proposition of any kind whatever had been offered as to the nature of the tax to be imposed. He wanted to know whether it was proposed to impose an Income-tax similar to the last, or a Property-tax, founded upon fixed and permanent property alone. He should be glad to see any feasible plan brought forward; but at the same time he very much doubted the possibility of introducing any measure, taxing property, and not taxing income, which it would be proper to adopt as just and fair. He would ask those who were inclined for such a tax, how they would manage to collect it upon that species of property which was constantly transferable throughout the country? But he would not enter into the discussion of that part of the question. He would merely advert to one other point which relates to the imposition of the tax, and which he considered to be of the deepest importance. If a Property-tax were imposed to the full extent suggested by the hon. member for Worcester, namely, to the extent of 15,000,000*l.*, what would become of the property of the country? The proposition had been advocated, because it would impose a tax upon absentees. But if such a tax were imposed, absentees would take their property away with them, and instead of reaching those who lived abroad, their property would be transferred to some other country where it would not be liable to such an impost. That the Property-tax had no such effect during the war was no argument, because the times were perfectly different. The Continent was then closed to Englishmen; but he believed, that, with the desire which now existed to obtain a larger rate of profit upon capital than could be acquired in this country, there was already too great a desire to transfer property from hence, and certainly the finishing stroke would be given to the effects of that desire, if such a tax as that now proposed were to be levied. In answer to what had been asserted of the total absence of relief from taxation, and of the little that had been done for the benefit of the working and productive classes of the kingdom, he would refer to the taxes which had been repealed since the war. As nearly as he could, he would classify them into two descriptions: first, the taxes which may be considered as pressing upon productive industry; and second, those which bear more immediately upon property. He made that distinction in obedience to the expressions used in that House, rather than in conformity to his own feelings, because he was firmly convinced that any tax which pressed upon property, must, in a great degree, impede productive industry. He did not believe in those distinctions which were drawn; because a tax was paid upon capital in the first instance, that it therefore pressed upon the rich alone,—or, because a tax was paid upon the article consumed by the poor man, that therefore it weighed upon the poor alone. He believed that with a population such as that of England, all taxes must ultimately be paid by capital, and out of the profits of the capitalist's stock. The amount of the wages of the labourers, would always depend upon the competition of capital for the employment of his skill or industry; so that any tax which at first sight appeared to press more immediately upon the wages of the poor, must ultimately be paid by capital. However, for the sake of others, and for the purposes of this discussion, he would make the distinction; and that hon. Gentlemen might not run away with the idea that nothing whatever had been done to relieve the country from the burthen of taxation, he wished very shortly to state what imposts had been taken off since the termination of the war. The total amount of the taxes which had been repealed since the war was 34,137,000*l.* In that sum was included the Property-tax the amount of which was 14,600,000*l.* Since the year 1819 or 1820, there had been repealed taxes on articles principally consumed by the lower classes, or which, in his opinion, was a matter of much more importance, on the raw material and other articles used in manufactures, no less a sum than 16,864,000*l.* Those articles had been principally soap, coffee, tobacco, silk, windows, beer, leather, candles, printed cotton, &c. Under the present circumstances, when the revenue very little exceeded the expenditure, the utmost caution ought to be used on the subject. When it was proposed to repeal at once a tax producing 4,500,000*l.* he hoped hon. Gentlemen would have some little regard for the engagements which the country had contracted; and that they would not allow themselves, in consequence of any immediate call on the part of their constituents, to do anything which might materially affect public credit; for he was persuaded that those constituents were far too honest and upright to entertain a deliberate wish to relieve themselves from taxation at such a price. It should be always remembered, that all the revenue of the country except about 14,000,000*l.* was engaged in a manner to which the public faith was solemnly pledged. In disposing of that 14,000,000*l.*, he trusted that the Government with which he had the honour to be connected, had not shown any indisposition to economise as far as was possible.

Mr. *Harvey* was not at all surprised at the natural disinclination of Gentlemen, most of whom were men of large property, to hear arguments, the tendency of which was to show that property ought to be more heavily taxed than at present. That feeling of dislike would, however, be a lesson to the new Members (a larger body than had ever before appeared in Parliament). The mode in which the proposition of the hon. Member had been treated must show them, that it was very easy to divert attention from the principle of a Motion, by introducing a number of unconnected details. The speech, for example, of the right hon. the Vice President of the Board of Trade, although, as usual, one of considerable ability, had little bearing on the question before the House. In the first place, the right hon. Gentleman accused the hon. member for Worcester of not sufficiently defining his notion of what the proposed Property-tax ought to be. It was not necessary that the hon. member for Worcester should do so; that was a subject to be considered in the Committee. Ministers pretended to object to the Motion, because the hon. member for Worcester had thrown out the idea of establishing a Property-tax; but every one knew, that if the hon. Member had merely proposed the repeal of 15,000,000*l.* of taxes, without suggesting the means of providing a substitute, Ministers would have risen one after another, held up their hands, and exclaimed, "What a monstrous proposition to ask us to repeal 15,000,000*l.* of taxes without finding a substitute!" Then, the question if taxes were to be repealed, and if a substitute must be found for them, what was that substitute to be? Ministers knew full well that the only substitute was a Property-tax, and yet, because that was suggested, they said they would negative the Motion. Ministers, and particularly the right hon. Gentleman, had upon this occasion assailed a Property-tax most vigorously, because they knew that they were addressing, on that point at least, a partial audience. Among other arguments used by the right hon. Gentleman, he had urged that it would not touch absentees. But if people went away from the country, they must leave their property behind them subject to taxation, or they must find customers for it, who would alike be subject to taxation. As to the depreciation of the funds, the 28,000,000*l.* of interest on the national debt, would be taxed, and the amount of that tax would be the same, whether Consols were at sixty or at par. Equally fallacious was the notion of absentees carrying away their property, unless they could travel like snails with their houses on their backs. The hon. member for Oldham had endeavoured to throw an odium upon the proposition of the hon. member for Worcester, by the use of a single word; he had declared, that a graduated Property-tax would be a confiscation. Why, all taxes were, in one sense of the expression, a confiscation. His (Mr. Harvey's) notion of a graduated Property-tax was, not a tax which would seize the whole of any property, but a tax which would apply with equal weight to properties of unequal amount. For instance, that if property of 200*l.* a-year were taxed two per cent, that property of 10,000*l.* a-year might be taxed five per cent, and property of 20,000*l.* a-year twenty per cent. Confiscation! Could there be a more infamous system of confiscation than that which, by the present system, was carrying on against the industry of the country? The average wages of a labourer were 12*s.* a-week, or 30*l.* a-year. Of this sum it had been ascertained, by able calculators, that thirty-three per cent was struck off for taxes paid by the labourer on the necessary articles of consumption; in other words, that 11*l.* out of 30*l.* were taken from him. But what was the case with a man of 30,000*l.* a-year? To subject him to equal confiscation, 10,000*l.* of his income ought to be taken from him. But as matters stood, he might, if he chose, live on 300*l.* a-year, and invest the remaining 29,700*l.* in the funds, which were protected from all taxation. He would ask the hon. member for Essex, and his colleague, if there was any subject in the district which they represented, on which so intense an interest was excited, as on this subject of a graduated Property-tax? The public mind was impressed with an idea that there was a general disposition on the part of his Majesty's Government to look at the subject of taxation with a generous wish to relieve the industrious classes of the community, and yet his Majesty's Ministers now opposed a Motion for a Committee to inquire into the subject, and to substitute for the present oppressive taxation a graduated Property-tax. Under such circumstances, what relief could the public expect? There were two classes of individuals in that House, both eager for the repeal of taxation, but rivals with respect to the mode by which that repeal was to be effected. The Representatives of the landed interest claimed the repeal of the Malt-tax; while those connected with towns and manufactures were equally pressing for the repeal of the Assessed-taxes. But how could either of these parties redeem the pledges which they had made to their constituents, if they recognized the validity of the declaration made by his Majesty's Government, that they were not prepared even to sanction the appointment of a Committee to inquire into the subject? He would advise the country Members to tell their constituents at once that they need not trouble themselves upon the subject, for that his Majesty's Ministers would not take off the tax on malt; and he would advise town Members to tell their constituents to be quiet, for that his Majesty's Ministers would not take off the tax on houses and windows, According to the doctrine maintained by the right hon. Vice-president of the Board of Trade, it was impossible to hope that any efficient relief would be afforded to the people; for that right hon. Gentleman had truly stated, that the amount of revenue on which a diminution could be effected was only fourteen millions. The most, therefore, that could be expected from that source was but a million or so, and that would go but little way—five barley loaves and a few small fishes would go but little way among so many. Nothing could be more clear to him than this, that, although they might drive the matter off for one Session, the time was rapidly approaching when they must either diminish the burthens of the people, or give them the means of sustaining those burthens. "But, (said the right hon. Gentleman), how restless you all are! Thirty-four millions of taxes have been repealed since the war." True; but did the hon. Gentleman recollect that the pressure of taxation depended, not so much upon its amount, as upon the means which the people had to support it; and that the people might be better able to pay the larger taxation in 1814 than the smaller taxation of the present day? Let the House recollect, that if they acceded to the present Motion for a Committee to inquire into the expediency of repealing taxes, and substituting a graduated Property-tax, they would do so as free agents. But would that be the case two or three years hence? Now they might substitute such a tax, then they must do so. It was always the evil of British legislation that it came too late. Its measures were always adopted in hurry and alarm; they were rarely the result of sober and dispassionate reasoning, but were hatched under difficulties and constraint. Instead of conceding with a good grace, the Legislature deferred concession, until it was wrung from it by necessity and violence.

Mr. *Halcombe* said, that the object of the present Motion was not to embarrass or inconvenience Ministers, and that he should vote for it, on the general ground that it was expedient to institute an inquiry into the subject. No man would be pledged to the result of the investigation and it would afford the means of ascertaining whether any substitute could be found for 17,000,000*l.* of taxes. The noble Lord (Lord Althorp) had not declared himself altogether adverse to a Property-tax; and the right hon. Vice-president of the Board of Trade had not expressed himself decidedly hostile to an Income-tax; and this very uncertainty afforded a strong reason for complying with the Motion of the hon. member for Worcester. As the Church property Bill had been mentioned he hoped to be allowed to request hon. Members to look very carefully into its provisions. As he was a new Member, he threw himself on the usual courtesy of the House, especially as he was only adverting to a topic already introduced by others. It was not to be disputed that the King was the guardian of Church property. That Bill would at once put an end to the trusteeship of the Crown as regarded Church property and he believed that many of its advocates were not aware that it would establish what was at present contrary to the law of the land.

Mr. *Pease* thought, that the appointment of a Committee might lead to some desirable commutation of taxes; and if the inquiry took place without delay, the result would possibly have an important effect upon the forthcoming Budget. Much of the present taxation bore with unjust and unnecessary severity upon the lower orders, and the inequality called loudly for a remedy. For example the Post-horse-duty was unjust, a man who hired a horse for fourteen days as many of the middle classes did, paid one guinea duty, but a man who hired a horse for a whole year, as many of the rich did, paid only the guinea. Again, stones dug from the quarry paid no duty, quarries were, however, generally the property of the rich, bricks were made by the labour of the poor and they paid duty. He contended that there was a clear and an important distinction between a Property-tax and an Income-tax, much in favour of the former. One great advantage of a Property-tax would be, that it could be cheaply collected; for at present of the 16,000,000*l.* or 17,000,000*l.* imposed, not more than perhaps 12,000,000*l.* or 13,000,000*l.* found its way into the Treasury.

Mr. Robinson briefly replied, and the House divided. Ayes 155: Noes 221—Majority 66.

List of the AYES.

ENGLAND.

Adams, E. H.
Aglionby, H. A.
Attwood, T.
Baillie, J. E.
Barnard, E. G.
Barnet, C. J.
Bayntun, S. A.
Benett, J.
Bentinck, Lord G.
Bewes, T.
Bolling, W.
Bowes, J.
Brigstrick, W. P.
Briggs, R.
Briscoe, J. I.
Brocklehurst, J.
Brodie, W.
Brotherton, J.
Buckingham, J. S.
Bulkeley, Sir R. W.
Bulwer, E. L.
Cavendish, Lord
Cayley, Sir G.
Chaplin, T.
Chapman, A.
Chaytor, W. R. C.
Chichester, J. P. B.
Clay, W.
Cobbett, W.
Collier, J.
Cornish, J.
Curteis, H. B.
Curteis, E. B.
Dare, R. W. H.
Davies, Lieut.-Col.
Dawson, E.
Dick, Q.
Dundas, Hon. J. C.
Evans, W.
Ewart, W.
Faithfull, G.
Fenton, J.
Feilden, J.
Fryer, R.
Gaskell, D.
Gisborne, T.
Goring, H. D.
Greene, T. G.
Grote, G.
Guest, J. J.
Gully, J.
Halcomb, J.
Hall, B.
Handley, W. F.
Handley, B.
Handley, H.
Harland, W. C.
Harvey, D. W.
Hawes, B.
Hawkins, J. H.
Henniker, Lord
Hodges, T. L.
Hodgson, J.
Hornby, E. G.
Hughes, H.
Hume, J.
Humphery, J.
Hutt, W.
Hyett, W. H.
Ingham, R.
James, W.
Keppel, Major G.
Key, Sir J.
Langton, Col. G.
Lennox, Lord W.
Lennox, Lord G.
Lister, C.
Locke, W.
Lushington, Dr. S.
Marshall, J.
Marsland, T.
Nanney, J. E.
Newark, Viscount
Palmer, R.
Pease, J.
Peel, Col. J.
Philips, M.
Plumptre, J. P.
Potter, R.
Ricardo, D.
Rider, T.
Roebuck, J. A.
Romilly, J.
Rotch, B.
Russell, C.
Shawe, R. N.
Spry, S. T.
Stanley, E. J.
Stewart, J.
Talbot, C. R. M.
Tennyson, Rt. Hn. C.
Thicknesse, R.
Todd, R.
Tooke, W.
Torrens, Col. R.
Trelawney, W. L. S.
Tynte, C.
Tyrell, Sir J. T.
Tyrell, C.
Vaughan, Sir R.
Vernon, Hon. G. J.
Vincent, Sir F.
Walter, J.

Wason, R.
Watkins, I. L.
Wigney, I. N.
Wilks, J.
Williams, Col. G.
Willoughby, Sir H.
Windham, W. H.
Wood, Alderman
Young, G.

SCOTLAND.

Dalmeny, Lord
Gillon, W. D.
Johnston, A.
Maxwell, Sir J.
Maxwell, J.
Oswald, R. A.
Oswald, J.
Sinclair, G.
Stewart, R.
Wallace, R.

IRELAND.

Baldwin, Dr.
Barry, G. S.
Butler, Hon. P.
Finn, W. F.
Fitzsimon, C.
Grattan, H.
Lalor, Patrick
Lynch, A. H.
Maclaughlin, L.
Martin, I.
O'Brien, C.
O'Connell, D.
O'Connell, Maurice
O'Connell, C.
O'Connell, J.
O'Connell, Morgan
O'Connor, Fergus
O'Dwyer, A. C.
Roche, W.
Roche, D.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Sullivan, R.
Vigors, N. A.

TELLERS.

Robinson, R.
Warburton, H.

Paired off.

O'Connor, M. Molesworth, Sir W.

SIR EDWARD CODRINGTON—CORRECTNESS OF THE REPORTED DEBATES.] Sir *Robert Peel* hoped that an opportunity might be conceded to him of saying a few words to explain the language respecting the proceedings connected with the affair at Navarino, which had been complained of by the gallant Admiral opposite. The House, he took for granted, would bear in mind, that for the last three years he had been without any notification from the gallant Admiral that he had any the most remote intention of bringing the subject under the consideration of Parliament. It had been, however, brought before the House; and he felt it due, not only to the House, but to the gallant Admiral and to himself, to explain how the matter really stood; he likewise felt it was due to all parties that he should postpone making that explanation until he should have had an opportunity of rendering it satisfactory by consulting all the means of information within his reach. Had he made any accusation against the gallant Admiral under the influence of error, or if, in full possession of the facts, he had stated them to the House in a spirit of hostility or unfairness towards the gallant Admiral, no lapse of time should have prevented him from doing tardy justice to a party aggrieved; but in the same proportion as he should have been anxious to repair a wrong, so should he be equally anxious and prompt to defend and vindicate his own conduct when he felt it, as he did feel it on the present occasion, to be unassailable. The gallant Admiral had told them, that he purposely postponed giving his explanation on the subject of Navarino until he should be enabled to do so in the presence of a Reformed Parliament.

Sir *Edward Codrington* begged to remind the right hon. Baronet, that he had written to Lord Melville, the then first Lord of the Admiralty, the moment he saw a report of the right hon. Baronet's speech, contradicting the right hon. Baronet's statement, with the understanding that Lord Melville would communicate his contradiction to the right hon. Baronet, his colleague. He thought that the most delicate way. After that he mentioned the circumstance to Mr. William Peel.

Sir *Robert Peel:* What time was that?

Sir *Edward Codrington:* I do not now exactly remember the exact time. My impression is, that it is not three years ago; but I cannot speak positively.

Sir *Robert Peel* appealed to the House, whether the impression conveyed by the gallant Officer's statement last night was not, that he had communicated with Mr. William Peel on the subject recently. At least, most certainly, that was his own impression. Well, the gallant Officer had at last brought forward his charge—confident of justice and redress from that Reformed Parliament. He could tell the gallant Officer that he did not appeal to that Reformed Parliament with more confidence than he did. He had not solicited the attendance of a single friend; if any of his friends chanced to be present, it was merely accidental. He cared not that the tribunal was a Reformed Parliament, for he knew that he was addressing an assembly of English Gentlemen who, as such, would be incapable of permitting themselves to be for a moment influenced by party or political feelings in judging of a question of a personal nature. No reformer in that House could have a more implicit reliance on its honour and equity. The question then was, not what might have appeared in some foreign newspaper, as the report of his sentiments respecting the gallant Officer's conduct, but whether he, in the exercise of his duty as a Minister of the Crown, did make a statement in his place in Parliament inconsistent with fact, and bearing hardly upon the gallant Officer's professional conduct. This was the question between them, and in discussing it he would dismiss all petty cavils respecting mere verbal expressions. The statement alluded to by the gallant Officer, was made by him on the 3rd April, 1828, very nearly five years ago. It was on the face of it not very easy for him to remember the precise words uttered by him on that occasion; and he had no other means of refreshing his recollection, except the contemporary publications of the proceedings in Parliament. He had that morning carefully examined those publications—indeed had taken more pains to ascertain what he was alleged to have said, than on any other occasion within his remembrance. Among the publications which he had consulted, he had referred to two morning papers of character and influence, and whose politics were, moreover, uniformly opposed to his own—he meant *The Times* and the *Morning Chronicle*. He particularly referred to these two journals, as well on account of their being opposed to him in politics, as that their reports could not possibly have been revised or corrected by him. He would refer also to the report published in *Hansard's Parliamentary Debates*, which was essentially the same as *The Times* report, and he would quote it the rather because, besides its agreement with *The Times* and *Morning Chronicle* report, from having the advantage of more time for revision and collation with other reports, it was the received and authentic record of the proceedings in Parliament. Well, then, the question was, did *The Times* and *Morning Chronicle* faithfully report his sentiments on the occasion alluded to? He would not shelter himself behind any verbal inaccuracies that might be discovered in those reports, but would at once avow that he was surprised at the extraordinary accuracy and ability with which they must have reported what fell from him. He would abide by these reports; they were honest and able; he would be responsible for every word which they represented him to have spoken. He would vindicate them under any circumstances and at any place. The gallant Officer had referred to another publication. He would not answer for that; if it differed from those reports, the accuracy of which he admitted, it was incorrect. The point simply was, whether he (Sir R. Peel) was or was not a correct interpreter of the sentiments of his Majesty's Government. Two other parties were more immediately concerned, the Earl of Dudley and Mr. Huskisson; from both of whom he had occasionally differed in politics, but for both of whom he had ever entertained great respect, and both were then no more. The noble Lord opposite (Lord Palmerston), who had an intimate acquaintance with what was passing at the time, would be enabled to bear testimony to the accuracy or to the error of his statements. At an early period of the Session the question was raised by the hon. member for Westminster (Sir J. Hobhouse), whether the gallant Admiral was entitled to the thanks of Parliament for the battle fought by him at Navarino; and he (Sir R. Peel) was, in the discharge of his duty, obliged to oppose the Motion. But he appealed to the House whether he opposed it in a temper that indicated any indisposition on his part to do justice to the gallant Admiral? He stated on that occasion, 'that his Majesty's Government 'were as willing as those who might be 'inclined to support the Motion of the 'hon. Gentleman, to do justice to the 'gallantry of all who were engaged in the 'late affair; and, therefore, he was not 'without a hope, that the hon. Mover, in'stead of pressing the question to a 'division, would adopt the suggestion of 'his right hon. and learned friend, and 'take that course which would, under all 'the circumstances of the case, be most 'satisfactory to the feelings of the gallant 'Officer, most agreeable to the consistency 'of Parliament, and, as he believed, to 'the wishes of the country at large.'* He placed his opposition to the Motion on such grounds, that the right hon. Baronet, the member for Westminster, declared that he felt no difficulty in withdrawing it; and he appealed to the testimony of his political opponents, in the perfect confidence that it would confirm his statement, that, in opposing the Motion, he manifested no temper, nor tone, which could warrant the belief that he was actuated by any hostile or illiberal feeling towards the gallant Admiral. But on the 3rd of April, 1828, a question was put to him by Sir Robert Wilson, his answer to which was the more immediate cause of the observations which the gallant Admiral last night applied to him. About that time a report, which created a great feeling of indignation, reached this country, that the wreck of the Turco-Egyptian fleet had arrived at Alexandria, having on board a considerable number of Greek slaves, who were taken to the markets of the place and sold. He did not know the exact period when the rumour reached this country, but the first question relating to the affair was asked on the 24th of March, and that question was repeated by his gallant friend Sir Robert Wilson, on the 3rd of April, 1828. On referring to the report of what took place on that occasion (and he again declared that for that report he was in no way responsible, it having been made without reference to him, though he felt himself bound, in justice to his own character, and to those now no more, to abide by its substance), he found that the answer given by him to the question of his gallant friend was as follows:—'Mr. Secretary 'Peel said, he had already stated, that in '1825, and consequently long before the 'protocol was signed by the Duke of 'Wellington, at St. Petersburgh, and long 'before the treaty of the 6th of July, his 'Majesty's Ministers had received indistinct intelligence, that the commander 'of the Egyptian forces intended to take 'away the inhabitants of the Morea to 'serve in Egypt; and before the treaty of 'the 6th of July was entered into, a distinct and formal intimation was given to 'Ibrahim Pacha that his Majesty would 'never agree to such an exercise of the 'rights of war, or allow the inhabitants of 'the Morea to be converted into slaves by 'force.'* This must be a most correct report, because it was in exact correspondence with the facts of the case; and considering all the circumstances under which the debates in that House were reported, he was bound in justice to bear testimony to the general fairness and impartiality of those whose business it was to report the proceedings of Parliament, and he could not avoid expressing his astonishment that it was possible to make a report so correct in substance as the one he had just read. In consequence of the intimation that part of the population of the Morea was to be transported to Egypt, orders were sent out from this country, in consequence of which, an officer, who was an honour to his profession, and whose loss his country, as well as his immediate connexions, must deeply deplore — he meant Captain Sir Frederick Spencer—was despatched to Ibrahim Pacha, with instructions to notify to him, that if he intended to carry on the war on such principles, England would interfere with a naval force to prevent acts so inconsistent with the usages of nations, and with common humanity. He (Sir Robert Peel) then went on to state—'that instructions had been 'given to the British Admiral before the 'battle took place, and these instructions 'were consequently still in force, by which 'the British fleet was directed to prevent 'any movement whatever of the Egyptian 'force, with this exception only, that if 'an attempt were made to remove the 'Egyptian army from the Morea, every 'facility should be afforded for the 'execution of such an attempt; but it 'was perfectly understood that the Egyptian forces only were to be removed, and 'that any attempt at removing any portion of the population of the Morea 'was to be resisted.'* Now let the House remark the proof he could give of the extraordinary correctness of this report. He had referred to the instructions given by Lord Dudley, on the 15th of October, 1827, before he (Sir R. Peel) was in office, and as the battle of Navarino took place on October 20th, the instructions must have been drawn up six weeks before the news of the battle reached this country. They ran thus:—'The 'commander of the British fleet will concert with the commanders of the Allied 'Powers the most effectual mode of preventing any movements by sea on the 'part of the Turkish or Egyptian forces.' By the same opportunity, pursuant to the protocol of the 15th of October, 1827, under which these instructions were also sent out, this instruction was sent to the commanders of the naval forces of the Three Powers in the Mediterranean:—

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* Hansard (new series) xviii. p. 420.

> The admiral, to whom the task of watching the port of Navarino shall be allotted, by mutual agreement betwixt himself and his colleagues, should be instructed to hold out, in concert with him, every inducement to the Pacha of Egypt, and to his son, to withdraw the Egyptian ships and land forces altogether from Greece, and to assure them that every facility and protection will be given for their safe return to Alexandria: but he is, on no account, to enter into any stipulation for allowing the ships to return to Alexandria without the troops.

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* Hansard (new series) xviii. p. 1438.

* Hansard (new series) xviii. p. 1439.

Secret instruction. Annexed C. to the protocol 15th October.

It is thought expedient, not only that the regular commerce of neutrals; that is, such as is not carried on in order to aid the belligerents, should proceed uninterrupted, but that interruption should be confined to neutrals sailing under the convoy of Turkish ships of war.

Such were the instructions given by Lord Dudley, at least a month before the account of the battle of Navarino reached this country. Now, was not the report of his speech, as far as he had read it, in exact conformity with the facts which occurred, and the instructions which were actually given? He had gone on in his speech to say: 'On 'the 28th of December, a fleet, consisting 'of forty-five sail, arrived at Alexandria. 'This fleet was the remnant of that which 'had been engaged in the action at Navarino. These vessels had on board the 'disabled seamen and soldiers, and also 'some women and children, but what the 'number of them was he could not tell.'* The gallant Admiral stated last night, that he (Sir R. Peel) had given countenance to the charge brought against the vigilance of the British fleet, by declaring that 16,000 or 18,000 slaves had been allowed to be taken from the Morea. Now, how stood the facts? Sir Robert Wilson said, 'that official advice had been re'ceived—that he had heard even 7,000 'persons—but certainly several thousand 'persons, men, women, and children, had 'been forcibly taken from the Morea, put 'on board the Egyptian fleet, and landed 'at Alexandria, where they had been pub'licly sold as slaves.'† If he (Sir Robert Peel) had been actuated by any hostile spirit towards the gallant Admiral, he certainly should not have been anxious to diminish the number of the slaves who were stated to have been thus carried away. But what were his observations on this point? He was reported to have said: 'the number of the persons taken away he 'could not tell, but that he had seen an 'account, which rested on tolerable autho'rity, and that account stated that the 'number did not exceed 600.'‡ The fact was, that the accounts of the number of the Greeks carried away by the Turco Egyptian fleet varied from 5,000 to 600; but, he, so far from wishing to countenance any exaggerations, mentioned the very lowest account which he had heard. Did the gallant Admiral remember the interview he had with the Pacha of Egypt, on August 6th, 1828, and the report which he made in consequence of that interview? [Sir *Edward Codrington:* Very well.] He had brought with him the memorandum of that Conference, and would read it to the House. It ran thus—

Memorandum of a Conference held at Alexandria, on the 6th of August, 1828, between Sir Edward Codrington and the Pacha of Egypt.

The Admiral said, that the only circumstance that might remove any objections on the part of his Government, would be an engagement by his Highness to do everything in his power towards obtaining the liberty of as many Greek slaves as possible—that his Highness was aware how loud the cry had been both in England and France on this subject, and more particularly by the deportation which took place subsequently to the battle of Navarino.

His Highness stated positively that not one slave had been made subsequent to that battle —that 1,900 Greeks were brought over; 1,200 Candiotes—greatest part wives of officers and soldiers.

The Admiral observed, that the not having prevented the return of those ships containing slaves, was a great cause of complaint against him, so that he must do everything which he could to procure their release.

Surely, the gallant Admiral would, after that, find it impossible to maintain that he countenanced the impression that thousands of slaves were received at Alexandria. He had read nearly the whole of his speech as it was found in *Hansard*, except the concluding paragraph, which was this: 'The subject was one to which Ministers 'had given their best attention. Immedi'ately upon the arrival of the intelligence 'in this country, instructions had been sent 'out to the British Admiral, and in a very 'short time he had very little doubt of being 'able to enter into full explanations without 'any prejudice to the public service.'* That was the whole of the speech which he delivered on the occasion he had alluded to, and he defied any person to discover in it anything indicating an illiberal spirit towards the gallant Admiral. The gallant Officer said, that despatches were not sent to him immediately after the arrival in this country of the reports of the transportation of the Greek population to Egypt. ["*Hear*," *from Sir Edward Codrington.*] But of what importance was it whether they were sent immediately or not? He had then stated in his place that he was not able to give specific information; but admitting that he did use the word "immediately," let the House see what period of time elapsed before instructions on this point were conveyed to the gallant Admiral. It must be recollected by the House that no instructions could be sent to the gallant Admiral which were not addressed to the three commanders of the combined fleet; and before that could be done, it was necessary to hold a conference and prepare a protocol. Not having the documents at present in his possession, he did not know whether the Egyptian fleet sailed from Navarino on the 27th December, or whether that was the day on which it arrived at Alexandria, but he found that a conference was held on the 12th of March, doubtless immediately upon the receipt of the intimation of the landing of a portion of the Greek population at Alexandria. At that conference instructions were sent to the Admirals commanding the combined squadron in the Levant, expressly referring to the accounts received from Alexandria, in these words:—'In 'consequence of information received from 'Alexandria, that a great number of Greek 'captives, among whom are many women 'and children, have been lately sent from 'the Morea to be sold as slaves in the 'market of Alexandria, you will hasten 'to announce to Ibrahim Pacha, that you 'have positive orders to prevent the renewal of such outrages; and in case you 'should find any of their captives on board 'the vessels that you shall have occasion 'to visit, you will take the necessary steps 'to restore them to liberty, and to send 'them with safety to some point of Greece 'not occupied by their enemies.' Those instructions were agreed to at a Conference held March 12th. Knowing the nature of these instructions, was he not warranted in saying, on the question being asked on the 24th of the same month, that immediately on the receipt of the news that the Greek population was being carried away to Egypt, instructions were sent out to prevent a repetition of the act? He had quoted the whole of the speech made by him on the 3rd of April; but in answer to Sir Francis Burdett, who 'expressed a 'wish that proper steps would be taken to 'restore those unhappy people who had 'been carried away into slavery to the 'home from which they had been so atrociously removed,'* and to Sir J. Mackintosh, who said 'that he could not doubt 'that the inquiry in which the Government was engaged referred to the most 'convenient measures for restoring the 'unhappy victims to their country,'† he (Sir Robert Peel) stated, that 'he was not 'aware that it was possible entirely to go 'that length. Undoubtedly, if the instructions of Government had been strictly 'complied with, the transportation of those 'persons would have been prevented.'‡ In that observation he alluded to the orders issued before the battle of Navarino, requiring the Greek ports to be blockaded, and that the Egyptian ships should not be allowed to leave the ports of the Morea unless they carried with them the Egyptian army. He appealed to the noble Lord (Lord Palmerston) whether the construction which he put on these orders was not the same as had been put on them by Mr. Huskisson and other members of the Government? If those orders had been complied with, no Greek captives could have been carried away; but did he go out of his way to impute blame to the gallant Admiral? No man could read the report of his speech without acknowledging that, whilst he was desirous of vindicating the conduct of Government, he was also anxious to do the gallant Admiral strict justice. He went on to state, that 'no blame was to be attached to the conduct of our fleet, the 'physical powers and means of which had 'been cramped by the battle of Navarino; 'but the orders, if it had been possible to 'execute them fully, were to prevent any 'movement of the hostile fleet, unless one 'which should be sanctioned by the English Admiral, and of which the object 'should be to transport the Egyptian forces 'employed in the Morea back to their 'own country.'§ That was the whole of the statement which he had made, and thus, while vindicating the Government from blame, he also said, that he cast no censure on the gallant Admiral for not carrying into effect his instruction, because he knew the physical powers of the fleet were cramped by the battle of Navarino. The gallant Admiral last night complained that he (Sir Robert Peel) had stated that despatches were sent out to him immediately or within forty-eight hours after the arrival of the intelligence of the transportation of the Greek population to Egypt. In none of the reports to which he had alluded did he find any mention of that circumstance. In *Hansard's Debates* he was reputed to have said 'As the intelligence at present stood, the extent of the spoliation that had been committed was uncertain. Unfortunately, those slaves had been landed in Egypt, and sold in the public market. If the ships which contained them had been taken at sea, there could have been no difficulty about their disposal, but now they were probably divided, and the property of private individuals. At present he would go no further than to repeat, that within forty-eight hours after the arrival of the news, the most active inquiry had been entered upon by Government as to all the facts connected with the case. Sufficient information had not yet been received but the investigation was going on.'* The gallant Admiral had stated that he read in *Galignani's* paper, that he (Sir Robert Peel) stated, that within forty-eight hours after the receipt of the intelligence a despatch was sent out to him.

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* Hansard (new series) xviii. p. 1439.

† Ibid. p. 1438.

‡ Ibid. 1439.

* Hansard (new series) xviii. p. 1439.

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* Hansard (new series) xviii. 1439.

† Ibid. 1440.

‡ Ibid. 1441.

§ Ibid. 1441.

Sir *Edward Codrington* observed that he saw the statement in the *Mirror of Parliament.*

Sir *Robert Peel:* Certainly wherever the gallant Admiral saw the statement, it was not in any of the reports to which he had referred, and by which as they were in exact conformity with what he had said, he was ready to abide. Of this he was certain, that within three days at most after the arrival of the news in England, a despatch on the subject was sent, not to the gallant Admiral opposite, but to Mr. Barker, the British resident at Constantinople. That despatch required immediate inquiry into all the facts, and the utmost efforts to procure the release and restoration of the captives. These things he knew to be facts, and he could not doubt them. When he was asked what steps had been taken for the redemption of the Greek captives, of course he replied by referring to the communications made to Mr. Barker, by whom the steps were to be taken. What was the impression made upon the House by his statement? Did the House think that he had not acted fairly towards the gallant Admiral? He found in the *Chronicle* report that the debate concluded with the following observation of Sir Joseph Yorke:—"Sir Joseph Yorke bore testimony to the disabled state of our vessels after the battle of Navarino, and was happy to hear that, whatever might have been the causes which led to the removal of the Greek captives from the Morea, no blame or negligence whatever was imputable to our officers engaged in the gallant action of Navarino." That was said by a man who felt the deepest interest in the professional fame of every officer in the navy; and if he (Sir Robert Peel) had done injustice to any officer employed in that expedition, Sir Joseph Yorke would have been the first to condemn him for doing so. He might make other observations on this subject, but he had mentioned all that was material. The reports which he had quoted were those of *The Times*, the *Chronicle*, and *Hansard's Debates*; all of which were most correct in substance, and in none of which did the expressions attributed to him by the gallant Admiral appear. He had stated the authority upon which he had made those statements, and the nature of the construction put upon the instructions by one member of that Government which sent them out; he had appealed to the recollection of those present as to the tone and temper in which those statements were made, and he now asked that House, whether the charge brought against him by the gallant Admiral was founded in fact, or had been made in a manner consistent with courtesy? He was sure the gallant Admiral would, upon consideration, confess that he (Sir Robert Peel) had shown every disposition to do him justice. The question was, whether he had put a correct construction on the instructions of Government. If any Motion was made for the production of the official documents he would be most ready to second it; and he asserted, that the letters written by the Admiralty, by Lord Dudley, and by Mr. Huskisson, would be found in precise conformity with his present statements. He was grateful to the House for the attention with which they had listened to him. If he had been conscious that he had ever made any observations which were unfair to the gallant Admiral, the lapse of time should not have prevented him from doing the gallant Admiral justice now. For the speeches which might have been attributed to him in foreign newspapers he was not responsible, but he was quite prepared to stand by the reports to which he had already alluded. There might be slight variations in those reports, but that did not impeach their general accuracy. An expression might not be heard, or might be misconstrued, and yet the general bearing of the report might be substantially accurate and correct. For instance, he had seen it stated in the papers of this morning, that the gallant Admiral had said, that he had made a communication on this subject to Lord Melbourne. Now, the gallant Admiral had done no such thing, nor did he state that he had. He said, that he had made a communication to Lord Melville. He again repeated, that the reports of the words attributed to him in 1828, in the papers to which he had before referred, were correct; and they proved that he had made no statement that was inconsistent with facts, that was inconsistent with impartiality, or with justice to the gallant Admiral.

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* Hansard (new series) xviii. 1441.

Sir *Edward Codrington* said, that he felt totally unequal to make himself, by mere eloquence, be supported by any party in that House. Fortunately for him, the question turned upon simple facts; and if what the right hon. Baronet had just stated had been stated last night, this present discussion would not have occurred. If the right hon. Baronet had, at any former time, been kind enough to say as much in answer to his application for redress, as he had said that evening, the House would never have heard any complaint from him. Situated as he was when the speeches alluded to were made—filling a station in which, if he acted contrary to orders, the deepest sensation would have been excited throughout this country and throughout Europe—he then and now thought it necessary to have the matter completely cleared up. He had never mentioned such a number as 16,000 Greek slaves—this was only the number supposed by Sir Robert Wilson; nor had he ever said, that the report in Galignani's paper was to be relied on. The reason he alluded to the report of that paper was, that it was the first that reached him—as it is the first that circulates on the Continent containing English reports; and, having seen it first, he thought it of the greatest importance to contradict the report in it, "that he had disobeyed his orders, and that full power was given him to prevent the transmission to Egypt of Greek slaves." When he first saw the report in *Galignani*, thinking it important that he should not be supposed to have had the power to prevent the transportation of Greek slaves to Egypt, and not to have exercised it, he wrote to the Admiralty, saying, that if it was intended that he should prevent the transportation of Greek slaves, he ought to receive orders to that effect, and that he should have great pleasure in carrying them into effect. Now, he never had received such orders during all the time that he was in the Mediterranean, though he had written expressly for them. Whilst there he had contrived to arrange a treaty with Mohammed Ali, which Colonel Cradock, after using all the influence of this Government, had not been able to effect. During the negotiation of that treaty he had used all the address in his power to get the Pacha to give up the slaves whom he had carried from Greece. He had even agreed that the Egyptians should remain in possession of the forts of the Morea, when their army evacuated that country, knowing, that it would be safer for us to leave them in the hands of the Turks than in those of the Greeks. He had, however, strenuously resisted giving up to them the fort of Navarino. "Then," said the Pacha, "there is an end of all the matter." He (Sir Edward Codrington) then said to the Pacha: "There is one thing which will justify me in the eyes of the people of England for leaving you in possession of the fort of Navarino." "What is that?" said the Pacha, with great anxiety. "Give me up all the Greek slaves which you have brought into Egypt." "The thing shall be done," said the Pacha; "I'll give you up every one of them directly." Having got possession of these Greek slaves, he went to the British Consul and said to him: "Hire a vessel to transport these slaves to Greece, for I take it for granted that you have authority to do so from the Government at home." The House would be surprised at hearing the answer which he received from the Consul. The Consul said: "I have not authority from the British Government to spend a single farthing in the restoration of these Greek slaves to their country." He could not express the astonishment which overwhelmed him on receiving this intelligence. As soon as he recovered from it, he said to the Consul, "Hire a ship for them at all events, and if the Government does not pay you for it, I will." He would not continue to attribute to the right hon. Baronet words which he had once denied. He would not tie any man down to words, even if he had uttered them, when he asserted that he did not intend to utter them; but when he saw observations attributed to the right hon. Gentleman which were derogatory to his (Sir Edward Codrington's) character, he felt it his duty to notice them. It was a duty he owed to his own character to notice them, considering the situation which he then filled; for he had to retain the esteem and respect of the two squadrons, which were combined with his own; he had to keep up a moral influence over the Greeks, and he had also to exercise a moral power over the Turks—that power which at last enabled him to make with them a treaty, which all the influence of Government, previously exercised, had failed in persuading them to make. It was under this feeling that he wrote his letter of the 4th of April. He begged to state distinctly, that he had no orders to prevent the transportation of Greek slaves from the Morea to Egypt; on the contrary, he was bound by his orders to encourage the passage of ships from the Morea to Egypt, but to prevent their passage from Egypt to the Morea. If he had met at sea the Egyptian fleet steering for Egypt, he should have conveyed and assisted them to Alexandria; for such conduct would have been consistent with his orders. If he had insisted upon examining into the contents of their vessels, he should have brought about that very collision which he was so anxious to avoid. The gallant Admiral read a letter which he had written to Mr. Croker when he first saw the observations in *Galignani*, commenting on them, and explaining the transaction referred to; but in that letter Mr. Huskisson's name was mentioned, and not that of Sir Robert Peel. The gallant Admiral also complained that he had never received any answer to this letter. He likewise entered into a statement of the manner in which Lord Goderich had rectified in the House of Lords the erroneous impressions which had gone abroad respecting the orders which he had received on taking the command in the Mediterranean. He begged to inform the House, that in the interval between Sir Harry Neale's receiving his orders, and his (Sir Edward Codrington's) succeeding to that officer's command, not less than 20,000 Greek slaves were openly sold in the Asiatic markets. If orders had been issued to prevent the transportation of the Greeks as slaves from their country, why had this taken place? And why, having taken place, was it not inquired into? He was quite sure that no transportation of Greek slaves had taken place whilst the British fleet was under his command. He must also inform the House, that upon getting no answer to his letter from Mr. Croker, he had, upon his return to England, made a point of going to Lord Melville, then First Lord of the Admiralty, and of complaining of the unjust imputations which the Government had cast upon him. Lord Melville had referred to a copy of the Parliamentary Debates which were in the Admiralty. What debates they were he could not say, but in those debates he saw expressions attributed to the right hon. Baronet which he thought that he had a right to complain of. He said so to Lord Melville, and desired Lord Melville to mention the subject to the right hon. Gentleman.

Sir *Robert Peel*: Lord Melville never spoke to me on the subject.

Sir *Edward Codrington* had not said that Lord Melville had spoken to the right hon. Gentleman; he only thought it strange that Lord Melville had not. Some time afterwards he met Mr. William Peel, and told him, that he (Sir Edward Codrington) thought, that his brother (Sir Robert Peel) had made statements in Parliament injurious to his character, and requested him to get that injurious statement set right. Still, however, nothing was done. If he had been wanting in courtesy to the right hon. Baronet yesterday in bringing this question so unexpectedly forward, he was unintentionally so, and tendered his apology for it to the House. He was desirous to preserve courtesy to all men; and if the right hon. Baronet would, as a favour, accept from him the copy of a little work which he had published on this matter, and which contained no remarks, but only public documents, he would see, from the nature of Lord Dudley's letter, which he read, that he had not, in any degree, transgressed his orders. The right hon. Baronet might think him too sore upon this point; but he trusted that the right hon. Baronet would consider the treatment which he had met with. He had been superseded from his command without a Court-martial, when the mere fact of being superseded was a severe reflection upon him. He knew that a change in the politics of the country had occasioned him to be superseded. That he could understand; but he could not understand why he should have been represented as not acting in obedience to his orders. He would fearlessly assert, that neither in spirit nor in letter had he ever disobeyed any orders which he had received as an officer. So far was he from bearing any ill-will to the right hon. Baronet, that he would conclude as he began, by declaring, that if the right hon. Baronet had at any previous time said what he had that night said, he should have been perfectly satisfied.

Sir *Robert Peel* said, that as the hon. and gallant Admiral had now stated he had not had any intention of making any personal remarks upon him, he was bound to say, that nothing was further from his intention than to have said anything that was painful to the feelings of the hon. Admiral. At the same time, he must observe in his own justification, that the hon. Admiral had made use of very strong expressions, which, together with the unexpected call made on him last night for an explanation, had made him reply, perhaps, rather warmly. It appeared that there was a difference between them as to the instructions that had been sent out to the hon. Admiral, which was the only point at issue. He should now only add, that if, two days ago, the hon. Admiral had placed in his hands the book now referred to, and had asked him whether he had made a statement with any intention of casting blame upon him, the gallant Admiral surely could not doubt that he should have at once denied any intention of giving pain to the hon. Admiral. Whatever he had said was the result of the hasty attack that had been made upon him. The hon. Admiral had asked him to read a certain pamphlet; in return, he wished to be allowed to intreat the hon. Admiral to read that which, as far as it could be so, was an authentic account of what he had stated on the occasion in question. He should only add now, that he had not any recollection whatever of Lord Melville having made any communication to him on this subject.

Viscount *Palmerston* was unwilling to prolong unnecessarily a conversation which had ended in a manner so satisfactory to the House; but having been appealed to by the right hon. Baronet, and having had the honour of being in the Cabinet at the time when the news arrived of the transportation of the Greeks as slaves to Egypt, he felt it to be due to his right hon. friend to say a few words upon this subject. He must confirm the assertion of his right hon. friend, that what he had said as the representative of the Government about a transaction which did not properly fall within his department was strictly in conformity with the unanimous opinion of the members of the Government. He thought that the explanation of his right hon. friend must have satisfied the gallant Officer that nothing which his right hon. friend had said was intended to impute blame to the gallant Admiral. He was bound to say, that when the news arrived of the transportation of 5,000 persons, according to some accounts, and of 600 according to others, as slaves from Greece, it produced a painful sensation upon every member of the Government, and especially upon himself. No time was lost in entering into an investigation of the subject. He had not looked at the documents recently, but he should have thought that the despatch sent off to Mr. Barker had been sent off even earlier than his right hon. friend had stated. Feeling anxious to know the result of that inquiry, he had, at the close of the Session, when he ceased to be a member of the Cabinet, sent a note to his right hon. friend to inform him that he should, the next day, put to him in his place in Parliament certain questions respecting it, and the consequence of that note was, that his right hon. friend communicated to him the report made by Mr. Barker. He must also corroborate his right hon. friend's statement on another point. It was true, as the right hon. Baronet had said, that a misconstruction seemed to exist as to the instructions sent to the gallant Officer, for the then Government had thought that a sound interpretation of the instructions would authorize the gallant Admiral in intercepting these slaves, if the state of his fleet had enabled him so to do. It seemed that the hon. Admiral read his instructions differently. He would not say which opinion was the correct one; he would neither affirm nor deny on that subject; but he was ready to confirm the statement of the right hon. Baronet, that, in whatever was then said, no blame was meant to be cast upon the hon. and gallant Admiral, though the impression of the Government certainly was, that if his fleet was in a state to keep the sea, he was authorised to intercept the transportation of these slaves. The instructions had been drawn out by Lord Dudley, in concert with the representatives of the other two powers. He repeated that no blame had been intended to be cast upon the hon. Admiral, and the inquiry was only instituted with a view to ascertain the real facts of the case.

Sir *Edward Codrington* said, that if what had been attributed to the right hon. Baronet, or what he had said, were ten times as strong, the moment he heard him deny that he had any intention to cast any blame on him he was perfectly satisfied.

Sir *Robert Peel* said, that he would abide by the reports to which he had referred. The hon. and gallant Officer had not pointed out to him the observations of which he complained in the *Mirror of Parliament.*

Sir *Edward Codrington* said, he would hand the report to him.

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HOUSE OF LORDS,

Wednesday, March 27, 1833.

MINUTES.] Petitions presented. By the Earl of COVENTRY, from Worcester; and by a NOBLE LORD, from Kidderminster,—against the Beer Act.—By a NOBLE LORD, from Stratford-upon-Avon, for the Better Observance of the Sabbath.

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HOUSE OF COMMONS,

Wednesday, March 27, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. CHARLES GRANT, Copies of the Correspondence between the Directors of the East-India Company and the Board of Control respecting the East-India Charter.—On the Motion of Mr. SPRING RICE, a Copy of the Proceedings of the Bombay Government connected with the Report of Mr. CHAPLIN, late Commissioner in the Deccan, in the Case of Narroba Govind Outia.—On the Motion of Mr. ROBERT GORDON, a Copy of the Warrant of Appointment of Lord Dunglass to be Chamberlain of Ettrick Forest: also a Statement of the Revenue he collects, and of the Salary he receives: also a Copy of the Warrant appointing Lord MELVILLE to the Office of Privy Seal in Scotland, with the Salary and Emoluments of the same: also a Copy of the Warrant of Appointment to the Office of Director of Chancery in Scotland, with the Emoluments of the same, and from what sources derived.

Bills. Read a second time:—On the Motion of Sir JAMES GRAHAM, Marine Mutiny; Trial of Offences (Ireland).

Petitions presented. By Mr. MURRAY, from Leith and Edinburgh, to substitute Simple Assertions for Oaths in all Cases where hitherto an Oath has been required by Law; and from the same, for allowing Sugar to be Imported, to be refined for Exportation.—By Mr. OLIPHANT, from Perth, for Establishing District Courts in Scotland; and from Perth, Kilmore, and Urquhart, against the present System of Church Patronage in Scotland.—By Mr. CLAY, from Poplar, in favour of the Factories Regulation Bill.—By Sir RICHARD SIMEON, from Carisbrooke and Brading; by Mr. TENNYSON, from Lambeth; by Mr. RICHARD OSWALD, Mr. GEORGE EVANS, and Mr. DANIEL GASKELL, from a Number of Places,—against the Disturbances (Ireland) Bill.—By Mr. CHARLES CAVENDISH, from Rye; by Mr. MURRAY, from South Shields; by Mr. RICHARD OSWALD, Mr. CHILDERS, Lord MORPETH, Mr. BRIGSTRICK, Mr. PENDARVES, and Mr. INGHAM, from a great Number of Places,—against Slavery. By Mr. STEWART MACKENZIE, Mr. W. BROUGHAM, Mr. R. OSWALD, Mr. WILBRAHAM, Colonel PERCEVAL, Lord MORPETH, Dr. LUSHINGTON, Mr. BRIGSTRICK, Sir EDWARD KNATCHBULL, Sir RICHARD VYVYAN, Lord ROBERT MANNERS, Mr. OLIPHANT, Mr. JAMES BROUGHAM, and Mr. CHARLES GRANT, also from a great Number of Places,—for the Better Observance of the Sabbath.—By Mr. HODGES, from Harwich; Mr. JAMES BROUGHAM, from Kendall; and Mr. PETER, from Saltash, —for granting to the Inhabitants of Corporate Towns the Privilege of Electing their own Magistrates and Municipal Officers.—By Mr. HODGES, from Cranbrook; by Dr. LUSHINGTON, from St. Paul's, Shadwell, and St. George's, Middlesex; and by Mr. WILLIAM BROUGHAM, from Christ Church, Surrey,—for a Repeal of the Assessed Taxes.—By Mr. RICHARD OSWALD, from Cumnock, for an Entire Separation between Church and State, and for a Repeal of the Corn Laws; from Irvine, for a Board of Trade, and for Relief; and from the Keith Agricultural Political Union, for the Abolition of all Sinecure Offices in Church and State.—By Mr. G. W. WOOD, from Blatchingworth and Calderbroo,k for the Abolition of Tithes, and the Repeal of the Corn Laws; and from the same Place, for the Repeal of the Taxes on Malt, Hops, and Soap, and for a Repeal of the Septennial Act, and Vote by Ballot, and for a Removal of all Grievances to which Protestant Dissenters are subject; and from Toxteth, Ashton-under-Lyne, Staley Bridge, and Dukenfield, for a Removal of all Disabilities to which the Jews are liable.—By Colonel BAILIE, from Elphin and other Places, against the Church of Ireland Bill.—By Mr. LAMBERT, from five Places in Ireland, against Tithes.—By Mr. LAMBERT, and Mr. MORGAN O'CONNELL, from Tacumshane, and the Barony of Gallen, for Vote by Ballot; and from several Places,—for a Repeal of the Union with Ireland.—By Sir RICHARD VYVYAN, from the Clergy of the Deanery of Bristol, and from Penzance, against the Irish Church Bill; and from Veryan, Cornwall, against Tithes, and the most Oppressive of the Taxes.—By Lord MORPETH, from Stansfield, for a Repeal of the Septennial Act, and for Vote by Ballot; and from the same Place, for a Repeal of the Taxes on Knowledge. —By Sir RICHARD VYVYAN, from Bristol, for a Repeal of the Duty on Soap.—By Sir EDWARD KNATCHBULL, from the Western Division of the County of Kent, against the Sale of Beer Act,—By Mr. SPRING RICE, from Kilkenny, for Speedily passing the Disturbances (Ireland) Bill.

METROPOLITAN POLICE.] Mr. *William Brougham* presented a Petition from Christ Church, Surrey, against the New Police Act. He said, that he was sorry that his hon. friend, the Under Secretary for the Home Department, was prevented from taking his place that morning in consequence of illness. He had been requested by that hon. Gentleman to defer presenting the last petition; but as, according to the present arrangements of the House, he did not know when he should have another opportunity, he had declined acceding to the request. The petitioners complained that the New Police Act repealed the Act of George 3rd, which gave them power to appoint their own watch;

and that the force which was now established was not so effective as the old one, while the cost was nearly doubled; the parish having been watched under the old system at the cost of 1,100*l.*, while they were now obliged to pay the Commissioners of Police 2,100*l.* He agreed with the petitioners so far as to say, that the persons who paid the money had a right to be satisfied that they were called on for no more than their due proportion of the burthen which the new establishment had entailed on the districts in which it had been brought into practice. In last Session, an hon. Member proposed that the subject generally should be referred to a Select Committee. If such a Motion were now brought forward by any hon. Member, he would most willingly give it his support. Such an inquiry, in his opinion, would be attended with many benefits, for at the present time, the new police in some districts was in such bad odour with the inhabitants, that the men scarcely dared appear on any public occasion. One instance he could state on his own knowledge. At the last election he was obliged to pay 130*l.* for Special Constables, and that in a district which was supposed to be effectively watched by the new police; and the High Bailiff of Southwark gave as his reason for having such a force, that he had received notice, that if the new police were allowed to appear during the election, the peace of the borough would be very much endangered. Such were the complaints made by his constituents, and such had been the practical working of the system as felt by himself.

Mr. *Wilks* had had many applications made to him on the subject of the new police, both in the last Session and the present. He was one who much opposed the introduction of such a force; but the Bill having been passed, he was willing that the system should have a full and fair trial. Nearly all the information that could be got by a Select Committee was already before the House by the papers that were laid on the Table every year. If, in those papers, a statement was made of the pay to the several grades of the men employed, and the expense incurred for clothing, the House would have every information before them they could wish on the subject. The only fault that he could find with the police was, that on many occasions, when they were most wanted, there was a difficulty in finding them. However, so long as they conducted themselves in the manner they had hitherto done, they ought to receive the support of the public.

Petition laid on the Table.

PRESENTATION OF PETITIONS.] Mr. *George Wood* wished to call the attention of the House to the state of the list on which hon. Members put down their names to be called on to present petitions. He had put down his name on that list at the commencement of the present Session, and it was not until this day that it had come to his turn to present his petitions; and that must be his excuse to his constituents for not having performed his duty earlier. On looking over the list, the other day, he found many hundred names down, so that he stood but very little chance of having another opportunity for some time to come; but what he most complained of was, that some hon. Members' names occurred more than once in that list; nay, more, one hon. Member's name occurred no less than eight times. Now, he apprehended that such a course was dealing most unfairly by other hon. Members and their constituents; and he trusted that the House would adopt some mode of putting a stop to it.

The *Speaker* was sure that the House would feel itself under an obligation to the hon. Member for having called attention to the subject. He, however, considered that it arose from some oversight on the part of hon. Members, without once considering what course justice required to be pursued. The names of hon. Members might appear more than once on the list, without incorrectness; but that one name should be repeated eight times was manifestly an abuse of the plan which had been proposed.

Mr. *Cobbett* thought the plan now in operation most objectionable. He had not been called upon by the Speaker for nearly a fortnight, and the consequence was, that his petitions had accumulated to the number of fifty-six. He had attended day after day, in hopes of being able to present his petitions, but was always disappointed. He considered that the best plan to adopt would be—to have an alphabetical list made out, and call upon hon. Members in that order; that would put an end entirely to all confusion.

Mr. *Spring Rice* considered that the plan proposed by the hon. member for Oldham was liable to this objection—that hon. Members, whose names might begin with A, B, or C, might occupy the time of the House to the total exclusion of those whose names unfortunately began with X, Y or Z.

CHARACTER OF PETITIONERS — WAKEFIELD.] Mr. *Daniel Gaskell* presented a Petition from the Inhabitants of the town and neighbourhood of Wakefield, against the Irish Disturbances Bill. As he had opposed the first and second reading of this Bill, he cordially concurred with the prayer of the petition.

Lord *Morpeth* said, it was always irksome to reflect upon petitions, as it usually led only to recrimination. With respect to the petition just presented, he had no objection to make to it—it had been agreed to at a public meeting duly convened and regularly held; but a protest against it had been put into his hand —it was not a petition, and, therefore, he could not lay it on the Table. The protest was signed by many persons of the first respectability, and many of them of great mercantile character in the borough of Wakefield, and they had requested him to make all the use of it in his power. By this protest they stated, that so far from concurring with the petitioners, in their opinion, unless the outrages which had been committed in Ireland were suppressed by the passing of this or some efficient Bill, the Ministry would be guilty of a dereliction of duty, and all the consequences of a weak and inefficient Government would be entailed on the United Kingdom.

Mr. *Cobbett* would read a letter from a gentleman at Wakefield, relating to the whole of the circumstances respecting the petition and the protest, which would show the character of the petitioners, and the character of those who opposed it. His hon. Colleague, to whom the letter was addressed, was obliged to attend a Committee to day, and therefore was unable himself to be present; but he (Mr. Cobbett) had been deputed to state this letter to the House. The letter asserted that the writer had just been informed, that one of the Protesters had disapproved of the petition, and that he feared the resignation of Earl Grey more than any other calamity. The protest, he had been told, had been hawked about by two petty attorneys, who were friends of Lord Morpeth, to prop up whose votes he suspected the measure had originated. A meeting on Thursday last was regularly called by the constable, and signed by the writer's friend, Mr. Waterton, of Walton Hall, who filled the chair at the Meeting, which was attended by the writer himself. The petition was then agreed to and numerously signed; and though some of the signers of the counter petition or protest, as it had been called, were present, not one of them opened his mouth against any of the resolutions that were passed unanimously at that meeting; so that these protesters actually were present at the meeting, but had not the courage to divide the meeting, or even to say a word against any of the Resolutions. The name signed to the letter was that of "Joseph Wood."

CASE OF CAPTAIN ROBINSON.] Dr. *Lushington* had a petition to present, to which it was his duty particularly to call the attention of the House, from a gentleman named Robert Robinson, late a captain in his Majesty's service, and who, after serving twenty-five years in various parts of the world was afterwards sent out, in 1825, being then a captain on the half-pay of the 17th Light Dragoons, to command a corps of out-pensioners in New South Wales. The petition complained of the treatment which that gentleman had met with from General Darling, Governor of New South Wales, during his residence there, and more especially of the illegal proceedings of a Court-martial by which he was tried and convicted. He had been requested to present the petition to a former Parliament; but such was the press of business arising from the discussions on the Reform Bill, that, from the period it had come into his hands, in consequence of the lamented death of his late right hon. friend Sir James Mackintosh, he had had no opportunity of bringing it forward till now, so particularly as he wished. It was difficult to state the contents of that petition without imputing very serious blame to General Darling, the Governor of that colony, and the persons who composed the Court-martial. At the same time, he must say, that he always held he was not bound to support the prayer of any petition he presented, unless he had some cause for believing that the matters therein-stated were grounded in truth. He had applied to his right hon. friend, the Judge-Advocate, with the view of ascertaining some of the facts stated in the petition; and, without undertaking to pledge himself to the correctness of every statement contained in it, he was, in his conscience, perfectly satisfied that their general truth was such as would justify him in supporting the prayer of the petition for the production of the Minutes of the Court-martial, which would enable the House to judge for itself whether the charges were or were not founded in truth. It appeared, that very shortly after the arrival of Captain Robinson in New South Wales, the corps, to command which he was sent out, was dispersed in various parts of the colony, and there was very good reason to complain even then of the conduct of General Darling. At the time that Captain Robinson left this country, not only had he an unimpeached character in the profession, but he also had many testimonials to that character. He remonstrated with General Darling against the attempts to do injustice to the persons who had come out under his command; and in consequence of those remonstrances being disregarded, he had considered it his duty to make a complaint to the Commander-in-chief in this country. By the Articles of War, if a remonstrance did not receive due attention abroad, the party making that remonstrance had the power of sending representations to the Commander-in-chief in this country, for the purpose, if possible, of putting an end to the grievances complained of. Captain Robinson having sent a remonstrance to this country, a correspondence took place, and finally, a Court of Inquiry was ordered to be holden on Captain Robinson. He should observe, that on the eve of holding this inquiry, a Lieutenant Sweeney belonging to Captain Robinson's company, received a letter from the military secretary of General Darling, warning him of the danger in which he stood, and advising him to pursue an honourable line of conduct. He conceived no other construction could be put upon that letter than this. It was intended to induce Lieutenant Sweeney to espouse a particular part on the inquiry then about to take place. After a Court of Inquiry, a Court-martial upon Captain Robinson was assembled, and Captain Forbes was the Judge-Advocate, who had served upon the previous Court of Inquiry which had been had with respect to Captain Robinson. The adoption of such a course was totally at variance with the general usage of the army, and totally incompatible with justice. The proceedings of the Court-martial went on, and seven or eight charges were propounded, which he had read, and he would take upon himself to declare that he never saw charges less specific, less clear, less perspicuous, or more confused. One part of the charge was disrespect to the Governor, in having sent home a complaint to the Commander-in-chief in this country. The petitioner complained that on the trial before the Court-martial, he was prevented from cross-examining witnesses produced against him; the questions which he proposed having been refused by the Court. The adoption of such a course, he (Dr. Lushington) was sure the House would be of opinion was a total violation of all law. The petitioner complained that one of the witnesses had been tampered with, and that evidence of an illegal character had been adduced. It was well known to every man that the rule was, from the highest tribunal to the lowest, that the best evidence should be produced; and so long as there was an opportunity of producing that evidence, so long it was impossible that secondary evidence could be received. It was obvious also to every man, that the great benefit of *vivâ voce* evidence was, that when you had an opportunity of cross-examining a witness, you might extract from him circumstances which might destroy the validity of the evidence itself, by proving the witness not entitled to belief. There was also a complaint of the manner in which the Minutes of the Court-martial were taken—of the evidence not having been taken on each specific charge, but in a mass, all mingled together, so that it was utterly impossible for any person, without much pains and labour, to make himself a complete master of the case, or do justice to the prisoner. Another complaint was, that one of the witnesses was permitted, before he underwent his cross-examination, actually to have a perusal of the evidence which he had given in chief. Now, that was a circumstance which he had never heard of in the whole course of his life. If the charges had been proved, they were not such, taking all the circumstances into consideration, as justified the sentence which had been pronounced. The sentence pronounced was dismissal from the service. Now, he would ask the House to consider what severe consequences must follow to a person so tried, so convicted, and so punished? This Gentleman had not merely served in the army twenty years, but his grandfather, father, six brothers, and two nephews, had been in the service. He was aware that when such a case as the present was brought before the House, it was met by saying that military men were aware of the risks they ran, and that it was dangerous for that House to open any case which had been decided by a competent tribunal. He was ready to admit that principle to a great extent, but he was not ready to say, that in our colonies, where the Governor was in possession of despotic power, being so far from home, that that House ought not to take cognizance of a case such as the present, where such a strong case for inquiry had been made out. He should inform the House that the petitioner was kept for two years under arrest, and that then an examination was gone into by the predecessor of his right hon. friend, the present Judge-Advocate. He did not intend to throw any imputation upon the gentleman who then held the office; for he knew that when a person had an immense mass of papers to wade through, it was impossible but that many important points would escape his attention. Since the petitioner had returned, he had made many applications for those Minutes, but they had been unsuccessful. He hoped now that they would be submitted to his inspection by his right hon. friend; and if that course were taken, it would give satisfaction to all parties. He had felt it his duty to trouble the House at length, because he considered it a case of the utmost importance. He was only anxious to make such statements as his duty required, and had not intended to step out of his way to vituperate any person. He had considered it proper to inform General Darling of his intention to present such a petition, so that the gallant Officer might instruct any of his friends in that House to answer it if necessary. The prayer of the petition was for the production of the Minutes of the Court-martial. If the subject were not taken up by the Government, he would take the earliest opportunity of submitting a motion on the subject. He sincerely hoped that he should not be driven to this course; for such a strong case of suspicion had been made out, that he trusted that Government would be anxious to refer the whole matter to the right hon. Judge-Advocate.

Mr. *Hume* supported the prayer of the petition, with which he entirely concurred. He had long been informed of its contents, and if he had persisted in the Motion of which he had given notice with respect to the conduct of General Darling, that officer's treatment of Captain Robinson would have formed one of his charges. It was the duty of the Government to take up the case, so that the time of that House might not be occupied by matters immediately belonging to the Government. He was informed by many most respectable persons in this country, that every one of the allegations in the petition could be proved, and, of course, that gross injustice had been done to the petitioner. This was a question for the consideration of the Government, and one which they should be most anxious to sift to the bottom. He would take that opportunity of stating, that it was not his intention to bring forward his Motion with respect to General Darling's conduct at present, as he considered he would best consult the wishes of the House by abstaining from ripping up old abuses, but he trusted the present inquiry would be pursued with all diligence.

Colonel *Verner* said, he could not let the opportunity pass without stating that he had the honour of Captain Robinson's acquaintance, and that, from what he knew of him, he would say, that he was incapable of doing anything that was unbecoming a gentleman. He had good ground for believing independently of Captain Robinson's own assertions, that the allegations of the petition were perfectly correct.

Mr. *Robert Grant* said, that he was not in office at the period alluded to. From the nature of the petition, and from the manner in which it had been brought under the notice of the House by his hon. and learned friend, it was his (Mr. R. Grant's) duty, if in his power, to meet the allegations of the petition. But, besides other documents, the proceedings of the Court-martial alone comprised the contents of three enormous folio volumes. It was therefore impossible for him to go through such a mass of evidence in time to give any individual opinion; and he felt called upon to offer that explanation, upon the

Motion that the petition do lie upon the Table. He would admit, that the statements made in the petition received great weight from the opinion expressed of them by his hon. and learned friend; and that such an application must receive an answer; but without imputing any want of intentional courtesy to his hon. and learned friend, he must inform the House that the notice of the intention to present the petition had only been given yesterday. The hon. member for Middlesex had expressed a hope that the prayer of the petition would not be disregarded by that House, because the transactions had taken place some time ago, and had argued upon the presumption that the allegations of the petition could be fully borne out; but the House could not entertain that presumption until an inquiry had taken place. Nor should there be too much weight given to the opinion expressed by his hon. and learned friend, as some of the charges could only be verified by further inquiry, inasmuch as they referred to evidence which it was alleged was not, but ought to have been, taken before the Court-martial. There was only one other point to which he would allude. The hon. member for Middlesex had imputed general charges against General Darling as Governor of the Colony; but he hoped that the proceedings of a sworn tribunal —sworn to execute justice—would not be confounded with any general charges against the Government. The charges against the Government and against General Darling should be kept wholly distinct. He felt most strongly, that the decision of a competent tribunal, which had been confirmed by a competent authority, was entitled to respect; and with regard to the present authorities at the Horse Guards, he had found them most conscientious in revising and considering all sentences that were sent to them. He would give no opinion on the merits of the petition; but, without denying the petitioner the fullest opportunity for investigation which was demanded, he must say that at present he must hold that what had been done had been done legally.

Sir *Francis Vincent* thought, that the imputation so affected General Darling's character, as an officer and a gentleman, that no friend of his would oppose the prayer of the petition. It would not only enable the petitioner to obtain justice, but would enable the gallant officer himself, if a full investigation were to take place, to place his proceedings in a clear point of view. There was one portion of the petition, wherein it was stated that a charge against Captain Robinson could not, in the Judge Advocate's opinion, be entered into, and yet the Court-martial had proceeded with it. That alone was sufficient to call for an inquiry. As to General Darling's not knowing until yesterday that the petition was to be presented to-day, he must have been aware that such charges were to be brought forward. It would be recollected that the petitioner did not come to that House until after he had tried all other means of redress without effect. He had even petitioned the King for an inquiry, and his petition had been referred to the Commander-in-chief.

Dr. *Lushington*, in moving that the petition do lie on the Table, said, that he would have given General Darling a longer notice, but it was impossible for him so to do, as he did not know until Monday that he should be able to present the petition to-day. He trusted that, in presenting it, he had made use of no expressions from himself that reflected on that gallant Officer's character. In answer to his right hon. friend (Mr. Grant) who, he was glad to perceive, gave no opinion on the merits of the petition, he thought it the best and most satisfactory mode that the minutes of the Court-martial should be laid before the House. He, therefore, gave notice that on Thursday the 23rd May, he would move for the production of the papers.

Sir *Henry Hardinge* regretted, that in consequence of being unavoidably absent elsewhere, he had been prevented from making certain statements in reply to the petition and charges of the hon. and learned member for the Tower Hamlets, relative to the conduct of his friend General Darling. As he understood, however, that the hon. and learned Gentleman had postponed his Motion to some day in May, he should then urge some statements in defence of his friend.

Petition to lie on the Table.

SUPPRESSION OF DISTURBANCES (IRELAND).] Lord Althorp moved the Order of the Day for the consideration of the Report of this Bill.

After some conversation, it was agreed that the Bill should be re-committed in order that certain amendments proposed on the Bill by Government should be considered.

The Bill ordered to be re-committed,

House in Committee, Amendments on the first, second, and third Clauses were then agreed to.

On coming to Clause 4

Mr. *Shaw* moved the omission, at the end of the clause, of the following proviso, which had been introduced in the progress of the Bill :—" Provided always that it shall not be lawful for the Lord-lieutenant to apply the provisions of this Act to any county or district merely because tithes shall have not been paid in such county or district." He could not believe that Government seriously meant to retain these words after their own admission, that these words were both inefficient and foolish. Their tendency was to weaken the clause, as well as to draw an invidious distinction between the property of the clergy and all other property. He trusted the words would be expunged without a discussion.

Mr. *O'Connell* would support the exclusion of those words. He thought he had done wrong by supporting it on the former occasion and the best amends he could then make was by speaking and voting for the exclusion. Surely the Lord-lieutenant would not proclaim every district because tithes were not paid. And yet unless that were supposed the proviso was directed to what could not happen. He must say that he thought that the right hon. Secretary's declaration about the " extinction of tithes," had militated more against the clergy of the Established Church than any other cause.

Sir *Robert Peel* said, that there was one other reason for the exclusion of the words —although what the hon. and learned member for Dublin (Mr. O'Connell) had said was very convincing. The present was the first effort in legislation of a Reformed Parliament. The Lords had sent down a Bill and the present was the first amendment in it—and certainly it would be a curiosity, as the first piece of legislation of the Reformed Parliament. He was satisfied from the declarations of Ministers, that they did not mean to apply this Bill to the collection of tithes, and, therefore, the proviso was useless.

Mr. *Stanley* said, he must confess that the argument of the hon. and learned member for Dublin was the most extraordinary he could ever have expected to hear from him. The hon. and learned member now said that the words were unnecessary, because he thought it impossible that the Lord-lieutenant would use the powers of the Bill to assist in the collecting of tithes. Why that was precisely what he (Mr. Stanley) had before said, but the hon. and learned Member had refused to invest the Lord-lieutenant with any discretionary powers, and, therefore, voted for the amendment, declaring that he would not look to the intentions of Ministers or to the Lord-lieutenant, but to the Act of Parliament. A large portion of the House had been induced to think that it would be necessary to satisfy even unnecessary scruples, and voted for the amendment. Why did not the hon. and learned Member then think the words unnecessary? He then voted for them, and said that they were necessary. But of all persons the hon. and learned Member was the last person he should have expected to declare that the present system was dangerous to the clergy of the Established Church. He (Mr. Stanley) had often said the Lord-lieutenant would never use the Bill in enforcing the payment of tithes, and his Majesty's Ministers, believing that the Lord-lieutenant would never attempt to use the powers of the Bill in that way (which they had frequently declared) consented to the amendment. Having been inserted, and not in any way affecting the Bill, he did not see that circumstances had since occurred to require them to expunge to-day what they inserted yesterday. Although he did not think it was a piece of legislation that would do the House much credit —[Sir *Robert Peel:* I said the first piece of legislation of the Reformed Parliament.]—Whether first or not it was of no consequence, but he thought it was not necessary to expunge the words now that they had been inserted. If the hon. member for Wexford whose amendment it was, supported it, he would vote for it.

Mr. *O'Connell* certainly had supported the proviso, but when he did there were words attached to it which made it less equivocal. At present it was useless; or if it did anything, it strengthened the powers given to the Lord-lieutenant. He was therefore perfectly consistent in opposing it. The right hon. Secretary for Ireland had taunted him too with changing his opinions on the subject of the Established Church of Ireland. Now, while he always supported the necessity of reducing the Church Establishment of that country to the wants of the Protestants there, he had always advocated the doctrine consistently with a due regard to the existing rights of the present incumbents, The right hon. Gentleman, therefore, was wholly mistaken, when he stated that he (Mr. O'Connell) had ever held any other opinions; and he defied him to point out any expressions of his that would justify him in his present taunt.

Mr. *Stanley* said, that the hon. and learned Gentleman challenged him to give an instance in which he had advocated a proceeding injurious to the present interests of the clergy. He would ask, when he applauded the resistance to the payment of tithes, whether he regarded that as a resistance to the rights of the present incumbents, or to the duties merely of the collectors?

Mr. *O'Connell* said, that he was against the present incumbents—yet this opinion was perfectly consistent with his proposition. With the spiritual arrangements of the church he had nothing to do—with its temporalities he had.

Mr. *Montague Chapman* in the absence of the hon. member for Wexford, supported the proviso, in order to secure that this Bill should not be applied to enforce the payment of tithes.

Mr. *Rigby Wason* was opposed to the proviso, which was as useless as it was ridiculous. Had the proviso stated, in express terms, that where the payment of tithes was resisted this Act should not be applied to enforce such payment, it might have been of some avail.

Mr. *Henry Grattan* supported the proviso, because he deemed it to be of great importance that the people of Ireland should not have reason to believe that this Act would be brought into operation against them on account of their resistance to the payment of tithes.

Mr. *Barron* thought the Legislature ought to lay it down as a principle that this Bill was not intended for the collection of tithes; and he would therefore support the clause as it stood. Not that he expected to be able to reconcile the people of Ireland to the measure by inserting this proviso; for he looked upon the Bill altogether as the most mischievous and atrocious measure that was ever introduced into that House.

Mr. *Wynn* stood there to protect the rights of property in every instance, and most sincerely would he uphold the rights of the clergy of the Church of England. Now, this Bill stated that there existed in Ireland certain dangerous conspiracies against the rights of property; and he wished to see the same protection afforded to the clergy and their vested rights as to other men, and he conceived that the Bill should apply in all cases. But it was impossible, if the proviso was allowed to remain in the clause, that the people of Ireland should not consider, that the Legislature intended to place tithes on a weaker footing than any other description of property. He, therefore, hoped his Majesty's Government would consent to the omission of the proviso.

Lord *John Russell* said, that former acts provided for the extra protection of tithes, and they were therefore recognised as in a better situation than rents. It was therefore the less necessary to increase the protection to tithes by this Bill. In fact it did what the right hon. Gentleman wished — namely, placed property of every description on the same footing.

Mr. *Shaw* stated, in reply, that the right hon. Gentleman the Secretary for Ireland said very truly that no new argument had been adduced against the proviso since the last vote of the Committee on the subject, for every argument had been used against it, as well by those who voted against it, as by the members of the Government who had voted for it. He then saw in their places both his Majesty's Attorney and Solicitor General, and if either of them would say—not that the proviso was an improvement—but even that it was not prejudicial to the Bill, he would withdraw his amendment

Sir *Edward Knatchbull* called upon the law officers of the Crown to come forward and state their construction of the legal effect of this proviso. He begged hon. Members to bear in mind that the proviso was not a part of the Bill which had been proposed by the Government, or to which the members of the Government ascribed any weight. The right hon. Gentleman opposite considered it a matter of indifference whether the proviso was inserted or not; and he hoped, therefore, that if the question came to a division, every Gentleman would exercise his own judgment on the matter.

Mr. *Lambert* felt it necessary briefly to address the House, because he had been grossly misrepresented and calumniated. He admitted, that he had said that it was necessary to grant extraordinary powers to the Government, on account of the disturbed state of his unfortunate country, and on account of the dangerous and inflammatory agitation which existed there. Was not that opinion fairly and honestly uttered in that House? He had, however, been denounced, in a manner most unjustifiable, for having expressed his sentiments. His opinion with respect to tithes was well known. He believed that every coercive measure which had been for years applied to Ireland had its origin in a desire to get rid oft he deep-rooted, the inextinguishable hatred of the people to the tithe-system. He had been considered an opponent to the Established Church. It was not a just charge. He wished the establishment to be properly supported, but not by the unjust, the iniquitous tithe-system. He had proposed an alteration in this Bill, and, in doing so, he had used the very words of the noble Lord himself when he introduced the measure. That alteration having been made, he gave the Bill his support. This Bill, he was convinced, was necessary, and ought to be passed with the least possible delay. For, even while he spoke, individuals with their dying breaths might be calling on the House to interfere speedily. Members were most shamefully abused for having the boldness to deliver their sincere opinions in that House. He certainly would not call on the House to give him, individually, protection, but he would ask whether it was not necessary to give protection to freedom of debate, and to the full and fair expression of opinion in that House? Was it right that inflammatory harangues should be addressed to those who were ready to obey the decrees of individuals who were pleased to point out their victims in that House? And for what reason? Merely because they openly declared their opinions. He was well pleased to treat the matter with the contempt which it deserved. He had made up his mind, when he entered Parliament, to speak his honest opinions. He had pursued a path which to some seemed inconsistent; but if Gentlemen would examine the course he had adopted, they would find that his conduct had been fair, honourable, and consistent. The hon. Member then read an abusive attack which had been made in the *Dublin Morning Register* on Sir Robert Peel, Mr. Serjeant Perrin, and himself, for their conduct in Parliament; and demanded whether such strictures upon the conduct of Members of that House who were merely doing their duty, were to be tolerated? He asked whether Members were to be held up to public odium on account of their honest votes on this measure? Were they to be held up to the people of Ireland as enemies of their country, and marked out as the next victims of assassination? He called on the House to assert its independence, and not allow a frantic rabble out of doors to dictate to its Members. As to the clause under consideration, let the principle of his proviso be satisfactorily established, and he cared not in what form, so long as it was rendered impossible to proclaim a district for non-payment of tithes.

The Committee then divided on the question, that the proviso proposed to be left out should stand part of the clause: Ayes 123; Noes 44—Majority for the clause as it stood 79.

On coming to Clause 20,

Mr. *Shaw* moved, that the clause should be restored to the Bill which gave to two justices of the peace the power to suppress an unlawful assembly, by the summary conviction of those who did not disperse within fifteen minutes after the notice was read. He declared that to have been the great object of the 10th of George 4th. cap. 1, from which the portion of the Bill then under discussion was taken; and that its omission would be fatal to the efficiency of the measure, so far as regarded political agitation. As the clause stood (with the omission) it was made a misdemeanor to be present at a prohibited meeting at all, even for a moment—and, then, still but a misdemeanor to remain there for the fifteen minutes after the notice to disperse had been read. This almost involved an absurdity; but, besides, it deprived the Magistrates of the salutary powers to put down such meeting by the force of summary punishment on their own responsibility, if necessary. Besides after they should have bound over a party to take his trial by indictment for a misdemeanor, that same party might return to, and continue at the same meeting. He considered that the most important provisions of the Bill had been frittered away and that the Government acted most unwarrantably in first urging, both in that House and elsewhere, the absolute necessity of such provisions, and then weakly abandoning them. It must also be recollected that they had altered the Bill in withdrawing the trial of political offences from the cognizance of Courts-martial; and he sincerely believed that they had rendered the whole measure valueless for the purpose of restraining political agitation.

Amendment negatived.

Mr. *O'Connell* wished to propose three additional clauses to the Bill. The first would make an alteration to which he did not anticipate that there would be any objection. He wished that the powers granted by this Bill to the Lord-lieutenant of Ireland should be suspended, in the event of a dissolution of Parliament, until the meeting of a new Parliament; and that these powers should also be taken away in the cases of all boroughs for which new writs shall be issued. He did not extend his clause to the proclaimed districts but only to those which had not been proclaimed. The principle of the clause was so perfectly fair, that there could be no reasonable objection to it. As the Bill stood, the Lord-lieutenant, at his will and pleasure would have the power to declare any assembly illegal. The Judge and Jury would have nothing to do with the character of the meeting; it would be sufficient to produce proof of attendance at a prohibited meeting, to render it imperative on a Jury to convict. Ought such a state of things to exist at the time of a contested election? The Lord-lieutenant would have the power of prohibiting the meeting of the friends of those candidates who might be disagreeable to himself; and, in point of fact, would be able to exercise complete control over all the elections in Ireland. It was not sufficient that a candidate should have the power of making his opinions known to the electors by means of advertisements it was necessary that he should be able to make his sentiments known to them at public meetings, where they could question him. If the Amendment were not assented to, it would be said, that the supporter of the Government would be allowed to hold his meetings, but that the candidate in the adverse interest would be prevented doing so. He had no wish to make this clause applicable to districts where there were agrarian disturbances. The hon. and learned Member moved the introduction of a clause to the effect he had described, which was brought up and read a first time.

On the Motion that it be read a Second Time,

Mr. *Stanley* said, he felt it his duty to oppose the clause. Undoubtedly it was not likely, at least he hoped not, that the Bill would be of sufficient duration to comprehend a dissolution of Parliament; but if such an event were to occur as a dissolution, it was well known that there was no occasion on which agitation would have such full scope for operation. He readily allowed that it was dangerous to admit of unconstitutional interference in elections, yet he was apprehensive that if, in the present state of Ireland, the Lord-lieutenant were not armed with the powers of which the clause proposed by the hon. and learned member for Dublin went to deprive him, greater evils might ensue. Balancing between the undue intimidation at elections which, in the present state of Ireland, the despotism of political agitation would certainly occasion, and the possibility, not the probability, that the power which the Bill as it stood vested in the Lord-lieutenant might be abused, and adding to this the consideration that the case to which the operation of the Bill would apply was not likely to occur, he was of opinion that it would not be advisable to adopt the clause proposed by the hon. and learned Member.

Mr. *O'Connell* observed, that if it could be proved that at any election the undue intimidation alluded to by the right hon. Gentleman had been used, that election would necessarily become void. To apply the provisions of the Bill to meetings for the purpose of election, was to trample under foot the first principles of a Representative Legislation. There was only one case in the late elections—that of the county of Carlow—in which such an allegation had been made. That case had not yet been tried, but he had heard it reported to-day that the sitting Members did not think it expedient to defend their seats. He protested against the cant and slang which was constantly poured forth by the other side of the House on the subject of political agitation in Ireland. Having at present the strongest laws against any undue influence in elections, the question for the Committee now to determine was, whether they would allow the Ministry to determine who should be the Representatives of the Irish people, which this Bill, if permitted to pass without the clause which he now proposed, would undoubtedly allow Ministers to determine.

Mr. *Lambert* remarked, that if his Majesty's Government in Ireland were guilty of any abuse of the power vested in them by the Bill, that abuse might be brought under the consideration of the House, who would redress it. To him it appeared, that whoever might be at the head of agitation in Ireland, and who must therefore feel himself responsible for the effect of that agitation, which, nevertheless, he could not control, would be relieved by the operation of the Bill, and would receive a sort of *congé d'elire.*

Mr. *O'Connell* observed, that the opposition of the hon. Member to the clause, although inconsistent in one respect, was consistent in another: for the hon. Member might not think it prudent to go again before his constituents without a gagging Bill. By the Bill as it now stood, and without the clause which he (Mr. O'Connell) proposed, it would be in the power of the Magistracy to trample on the elective franchise of the people [*no, no!*]. He said yes, yes! By the existing law, any meeting at which violence was recommended, or in which propositions were made, tending to bring his Majesty's Government into contempt, was rendered illegal. Were not these controls enough? Yes, for all who were not afraid to meet their constituents openly; and all who had no such fear would vote for his clause.

Mr. *Lambert* was not afraid to meet his constituents. Let his constituents be freed from any undue influence, and he could assure the hon. and learned member for Dublin that he had no apprehension whatever of submitting his conduct to their opinion. He could tell the hon. and learned Gentleman, that if he (Mr. Lambert) had thought it an object to be so, he could have been applauded, followed, and admired, by all those bad parties by whom he was now so bitterly attacked, and might have had all the pure votes of all the blood-stained agitators of his country. As it was, he was perfectly satisfied to bear all the odium of the vote which he was about to give. In the course which he had pursued, he had sought nothing but the ultimate welfare and happiness of Ireland, although he was perfectly aware that, for the moment, the measure which he supported was an infringement of the Constitution.

Mr. *O'Dwyer* said, that the clause proposed by his hon, and learned friend might be opposed by those who had confidence in his Majesty's Government, but that it could not be expected that he, who had no confidence in his Majesty's Government should do otherwise than support it. In illustration of the inexpediency of imposing such restrictions at elections as his hon. and learned friend's clause went to remove, he instanced the case of America, in which no limit was put upon the license of people at elections, a liberty which had been found very beneficial. It might be maintained by some that the authority against the undue exercise of which the clause proposed by his hon. and learned friend was directed, would, in all probability, not be abused by the present Government; but let it be recollected, that the present Government might have successors who would not be so chary in the use of their power.

Mr. *Henry Grattan* must say, that the interference of the police in Ireland, not only at elections, but on all other occasions had been the cause, as all those knew who lived in Ireland, of much mischief. As to elections they had not been productive in Ireland of violence. The county of Mayo had been represented as in such a state of disturbance, as to require the operation of the Act, yet no outrage had taken place at any popular election in that county. What was the main cause of the present disturbed state of Ireland? Why the gentry were taking one part, and the people another. The gentry of Ireland had lost much by the conduct which they had pursued; they had made a great mistake when they dethroned themselves in the affections of the people, and having lost the power which they formerly possessed, sought to recover it by undue means. They made enemies of the people and were now anxious to guard themselves against those who were formerly their friends. Fifteen members of the Grand Jury of the county of Meath and fifty-two Magistrates of the county of Westmeath had presented a memorial to the Lord-lieutenant for the extension of the provisions of the Insurrection Act to those counties; but his hon. colleague and himself had succeeded in preventing the application. He would not presume to give the right hon. Gentleman advice, but he would give him this wholesome admonition—that he had never committed a greater error than when he passed from one party to another; than when he at one period took up the part of the people and at another period took up the part of the gentry of Ireland. He (Mr. Grattan) believed that the people of Ireland had committed errors, but the greatest error ever committed in Ireland was, the error of the higher orders in separating themselves from the lower orders—an error, the consequences of which would, he feared, be extremely disastrous. He must say that he objected strongly to the Government having a power to interfere at elections, as well as the gentry. The hon. member for Mayo was anxious to put down the 40*s.* freeholders of Galway last year, because they were not favourable to him. The hon. recorder of Dublin too, could speak as to the influence which Government used at elections particularly at Trinity College. He regretted that both the Government and the gentry had made themselves very unpopular by their interference at elections.

Mr. *Dominick Browne* said, that he had never made any unfounded charges against the voters in Galway on the occasion alluded to by the hon. member for Meath, and appealed to the present hon. member for Galway whether he had not signed the petition on the subject? But he was not surprised at the sympathy which the hon. member for Meath appeared to feel for fictitious voters; as, if he (Mr. D. Browne) were not mistaken, the hon. member himself had had something to do with fictitious voters in Dublin.

Mr. *Shaw* must say, in answer to the appeal to him from the hon. member for Meath, that the hon. Member was rather unfortunate in his selection of him as a witness to prove the benefit of Government influence at elections; for, independently of Trinity College, he had had three contested elections where Government were opposed to him, and on one of those occasions he had succeeded against the hon. Member himself notwithstanding —but he did not wonder at that hon. Member advocating agitation at elections, for he believed that since the time he alluded to, that hon. Member had found it very convenient in his own case, and successful in displacing (in the hon. Member's own words) "the gentry of the country from that position in it which they ought to hold."

Mr. *Henry Grattan* appealed to the House, whether the attack which had been made upon him was honest, just, fair, or generous? He might retaliate if he chose, but he disdained to do so. He knew that of former Irish Governments of which an honest Englishman would be ashamed to hear. He well knew that Calcutta of Ireland, the Castle of Dublin ["*Question*"]. That cry came with a bad grace from those who had listened for hours yesterday evening to an explanation of a speech made four or five years ago by an Ex-secretary of State. He repeated, that he might retaliate, but he would not do so. He never did, nor ever would, trust himself to the support of an Irish Government: it was on the honest support of the Irish people on which he threw himself.

Lord *Althorp* begged to recall the attention of the Committee to the question before it. One of the clauses of the Bill vested in the Lord-lieutenant the power of prohibiting public meetings in disturbed districts. The hon. and learned member for Dublin had observed, that at popular elections it was absolutely necessary that the candidates should be present at public meetings, in order to state the opinions upon which they founded their claims to the votes of the electors. The question was, whether the spirit of the Act applied to such meetings? It would be in the discretion of the Lord-lieutenant to put the Act in force, and he would be responsible for his manner of doing it. No Lord-lieutenant would dare to make an undue use of the power thus intrusted to him, or interfere with the freedom of election. Were he to do so, he would subject himself not merely to censure, but almost to impeachment. There might be meetings during the progress of elections as dangerous to the public peace and safety, as at other periods, and, therefore, he could not do otherwise than look at the power given to the Lord-lieutenant to suppress such meetings as necessary to the efficiency of the measure.

Mr. *O'Connell* said, it was very well for the noble Lord to state that the Lord-lieutenant would put the Act in force on his own responsibility. Responsibility, indeed! Why such observations were perfectly ludicrous. Supposing he proclaimed a county, and the Act was afterwards questioned in that House, the Ministers would immediately jump up and say it was necessary—the county was in a state of insurrection — murders, and maraudings, and intimidation prevailed throughout; and, perhaps, in support of their assertions, a red box would be produced, and bits of newspapers, extracts of letters, and other unauthenticated and *ex-parte* statements read. Hon. Members had talked about personalities, especially the hon. member for Wexford, whose tone of tragic dignity and bombast he should not soon forget, but the present Lord-lieutenant was personal, even in his proclamations. Were they to intrust these tremendous powers to a man, whose first proclamation might be termed a personal one—a proclamation against the Trades' Union—were they to intrust these tremendous powers to the man who had complained in Cork that the people did not touch their hats to him? Were they to give the authority to proclaim a district during an election to an individual who had notoriously mixed himself up, on a late occasion, with electioneering squabbles and party feelings? Had not the Lord-lieutenant taken part in the late contest in the city of Dublin? He asserted that he had, and whatever contradiction might be given to that assertion, he could prove what he said. Alderman Darley, coming direct from Sir William Gossett, had promised to Mr. Boyton and Mr. West, that the entire influence of the Government should be given to that latter gentleman and Sir George Rich, the Conservative candidates. On the first day of election, the police, who were immediately and completely under the control of Alderman Darley, voted against him (Mr. O'Connell); but on the third day, when the Conservative cause became desperate, a proclamation appeared, stating, that the Government had never opposed him. Were they, he again asked, to give such extraordinary powers to a man who would wield the influence of Government in this way?—who, in Cork, exposed himself to universal ridicule, by his puerile complaints about the loss of popularity—by his empty talk about four gun-brigs, and the like? They had made out no case; and if they had, the Irish Government did not deserve the confidence of the people.

Mr. *Stanley* said, the hon. and learned member for Dublin had forced him up, by coming forward with a charge, not against the Government of Ireland, but against the head of that Government, founded on the statements of certain newspapers, and not contradicted. It was ludicrous, that every time the Government was assailed by two conflicting parties, each bitterly opposed to it, its silence, if it thought proper not to notice everything which they published, should be held as an admission, that whatever was uttered by the malice, absurdity, or ignorance of the one or the other was founded in truth. The hon. and learned member admitted, that the Lord-lieutenant had taken the trouble, by a memorandum in the newspapers, which the hon. and learned member called a proclamation, distinctly to deny the slightest interference by Government in the Dublin election; and the honourable and learned Member had yet to show on what authority he ventured to impeach the word and honour of a man, whose assertions, under ordinary circumstances, he dared not doubt. The hon. and learned Member, well knew, that he stood in a position in which he could not be called upon to retract or explain anything he might choose to utter. He stated, most positively, that the Government were perfectly indifferent as to the success of candidates who were equally opposed to them. Those who held official situations were perfectly at liberty to vote for whom they pleased, and had received from the Government no directions or suggestions whatever. He believed the majority of those individuals did vote against the hon. and learned member for Dublin; and if, in doing so, they considered they were voting for the more respectable and more competent candidates, they were but acting on their own acknowledged rights in doing so.

Mr. *Shaw:* If the right hon. Gentleman was sorry that the hon. and learned member for Dublin had forced him up, I have also to express my regret that the right hon. Gentleman has forced me to rise. I have no desire to be the partizan of the hon. and learned member for Dublin, or to cast the slightest imputation on the high personal honour of the Lord-lieutenant of Ireland; but I feel it due to the House to correct the right hon. Gentleman in a fact with respect to which I am sure he has been misinformed, but of which I am in possession; and when I hear a statement made which involves the truth and honour of personal friends of my own, I am bound to vindicate them. The right hon.

Gentleman speaks of the transaction as if it depended upon mere newspaper paragraphs; but to the documents in question Mr. West and Mr. Boyton publicly signed their names, and pledged their characters; and I affirm, without the fear of contradiction, that these gentlemen are utterly incapable of deviating from the strictest truth, and that their personal integrity and uprightness cannot be denied by their warmest political opponents. I would undertake, then, to say, from their statement alone (but I can add from my own knowledge of the evidence upon which that statement was founded), that Mr. West and Sir George Rich did receive a distinct and unequivocal assurance of the support of the Irish Government at the late Dublin election. I do not say that the Lord-lieutenant personally gave that assurance. [*Cheers, from the Ministerial side.*] I do not understand that cheer from hon. Gentlemen opposite — surely they do not suppose that I could say, or believe the Lord-lieutenant was capable of deliberately stating that which he knew to be untrue. But let these hon. Members recollect, that as a Peer of Parliament, the noble Marquess could not personally have interfered; and, further, let them bear in mind, that in the paper to which the noble Marquess put his name, and then sent to the various public offices in Dublin, the statement was not that the noble Marquess himself had not personally interfered, but that "the Government had taken no part in the election;" and the documents which I perused in the hands of Mr. West, stated exactly the reverse, namely, that the Government did support Mr. West and Sir George Rich. I do not wish further to give names or particulars in this House; but having said so much, I feel it will be my duty to furnish them to the right hon. Gentleman out of the House, should he wish it; and, in fact, for the first two days of the election, Mr. West and Sir George Rich received the support they had been promised. I do not know how to account for the change —I acquit the Lord-lieutenant of all wilful duplicity. I am sorry to have been obliged, in the defence of my friends, when facts were called in question, to take any part in this explanation; but I cannot help saying, that I verily believe it was, as stated in one of the documents referred to by the hon. and learned Gentleman, that, before the election, Sir William Gossett spoke the sentiments of the Lord-lieutenant, and that after it had gone on for two days, the Lord-lieutenant spoke the sentiments of the Lord Chancellor. Certainly the official persons connected with the Lord-lieutenant should have more expressly learned his wishes before they committed themselves—and I must add, the noble Marquess should have more accurately acquainted himself with their acts before he denied them.

Mr. *Aglionby* was not surprised at the scene which had just taken place, as nothing but assertions, contradicting assertions, had been brought forward throughout the whole discussion of this Bill; but he much regretted it. There was one point to which he was anxious to call the attention of the hon. and learned member for Dublin, which was, that if his Amendment was carried, there would be no power under this Bill from the period of the conclusion of the election till the time of the next meeting of Parliament. He would suggest that his Amendment should have effect only during the interval between the dissolution of Parliament and the conclusion of the election. He would not say the power would be exercised by the Lord-lieutenant, but if the Act allowed him to do it, then ought the House to agree to the Amendment.

Mr. *O'Connell* said, that he was perfectly willing to agree to the proposition of the hon. and learned member, if it could possibly be carried into effect. He should now take the opportunity of making one or two observations upon the subject of the interference of the Government with the Dublin election. It had been denied that the Government had interfered; he had documents to prove that interference. The contrary assertion rested chiefly upon the note of the Lord-lieutenant, which was in these words:—"I desire it to be distinctly understood that the Government will not take any part in the Dublin election.—Anglesey." What was the document on the other side? It was a letter, relating to what had passed between the writer and Alderman Darley, and between Alderman Darley and Sir William Gossett. The Alderman and another gentleman had called at the office of Sir William Gossett, and Alderman Darley left the room and went up-stairs to ask what were the intentions of the Government; and shortly afterwards returned, and said, that Sir William Gossett had authorised him to say, that the Government would give all their support to the two Conservative candidates. Alderman Darley then sent for Farrel, the Chief Constable of the Dublin police, and told him that Mr. West and Sir George Rich were to be supported, and that Farrel was to take means of effectually supporting them. That was the Government to which were to be intrusted the provisions of this Act. He called on the House to remember that. There was no case made out for confidence; and if there were, certainly no principle could justify that House in placing such powers in any man's hands. Confidence, indeed! Why Lord Anglesey himself had said, before he was Lord-lieutenant, that he would never issue proclamations of this kind; yet he had not been Lord-lieutenant three days before he issued one. No confidence ought to be placed in any man. Then where was the reason for this Bill? Necessity—that was the tyrant's plea. There was no necessity for it at all; but, at all events, there was none to intrust men with those powers during elections—powers that would enable them to exercise control over those elections, and which it was impossible they should exercise for any good purpose. He should, therefore, take the sense of the House on the subject.

Mr. *Stanley* was not prepared at this moment to answer the observations of the hon. and learned member for Dublin with respect to the conversations with Sir William Gossett; but he should like to ask whether there had not been any subsequent documents that explained the account given of the conversation by Alderman Darley, and which showed that the effect of that conversation with Sir William Gossett had been misrepresented by Alderman Darley? He did not mean to cast any imputation on Alderman Darley, than whom there could not be a more honourable man; but he believed that there was evidence to show that the Alderman had been mistaken. Whatever might have been the statement thus erroneously made, he knew perfectly well what were the feelings of the Government on the occasion in question. The Government had no predilection whatever with respect to the candidates. Nothing was more likely, or more probable than that Alderman Darley should have gone on the part of Mr. West, who was most unexpectedly a candidate, and should have asked what was meant to be done; and then, if that were so, the hon. and learned member for Dublin well knew that the persons who were employed under the Government in Dublin would almost to a man prefer to vote of their own accord for Mr. West and Sir George Rich, rather than for the hon. and learned Member. That might have been stated to Alderman Darley, who might easily have mistaken that statement of the probability of their votes being given to these two candidates for a promise that Government would use their influence to that effect. He thought that Sir William Gossett had so explained this matter afterwards. So that if Alderman Darley was told that the Government would not interfere, he might, in all probability, have said, "You may go on safely, for you are sure to have all the Government votes."

Mr. *Shaw* said, in explanation, that Sir William Gossett had not published any denial of the statement of Mr. West and Mr. Boyton; and that the right hon. Gentleman's observations about Sir William Gossett and Alderman Darley could not explain away the evidence to which he (Mr. Shaw) had principally alluded—for it was in addition to, and independent of, what they had said and done altogether.

The House divided—Ayes 72; Noes 214: Majority 142.

List of the AYES.

Aglionby, H. A.
Bainbridge, E. T.
Blandford, Marq. of
Briggs, R.
Bulwer, H. L.
Bulwer, E. L.
Clay, W.
Cornish, J.
Dashwood, G. H.
Ellis, W.
Faithfull, G.
Fancourt, Major
Fort, J.
Fryer, R.
Guest, J.
Gully, J.
Handley, B.
Hawkins, J.
Hume, J.
Langton, Col. G.
Parrott, J.
Potter, R.
Romilly, J.
Romilly, E.
Sholefield, J.
Strutt, E.
Tennyson, Rt. Hn. C.
Torrens, Col.
Tynte, K.
Tyrell, Sir J. T.
Warburton, H.
Wason, R.
Wilks, J.

SCOTLAND.

Dunlop, Capt. J.
Oswald, R. A.
Oswald, J.
Wallace, R.

IRELAND.

Baldwin, Dr.
Barron, W.
Barry, G. S.
Bellew, R. M.
Butler, Hon. P.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Fitzsimon, N.
Grattan, H.
Lalor, P.
Lynch, A. H.
Maclaughlin, L.
Macnamara, Maj. W.
Nagle, Sir R.
O'Brien, C.
O'Callaghan, C.

O'Connell, D.	Ruthven, E. S.
O'Connell, C.	Ruthven, E.
O'Connell, J.	Sheil, R. L.
O'Connell, M.	Sullivan, R.
O'Connor, Don	Talbot, J.
O'Connor, F.	Vigors, N. A.
O'Dwyer, A. C.	Walker, C. A.
Perrin, L.	White, L.
Roche, W.	TELLER.
Roche, D.	O'Connell, M.

Mr. *O'Connell* said, that he should propose another clause in the same spirit, but more limited in its extent than the last. His Amendment was, that in every case of a new writ issuing for the election of a Member during the continuance of this Parliament, from the issuing of that writ until its return, the powers of this Act should be suspended in the place where such election was to be had.

Clause negatived; as was another Clause proposed by Mr. O'Connell, to the effect, that no meeting of any chartered body should be deemed unlawful within this Act.

House resumed. Bill ordered to be read a third time.

SUPPLY—ARMY ESTIMATES.] After some previous discussion as to the propriety of entering on the Army Estimates at the late hour of eleven o'clock, during which Mr. Hume gave his consent that they should be gone into,

Lord Althorp moved the Order of the Day for the House to go into a Committee of Supply on the Army Estimates.

House went into a Committee.

Sir *John Hobhouse* said, that as they had arrived at a period of the Session when it was usual to call upon the House to pass a vote of credit for the purpose of meeting the army expenditure, he hoped he should meet with the attention of the Committee, when he asked them to give their sanction to one portion of the Army Estimates, which was the only one he intended to bring forward that night—namely the usual vote for the number of men. He felt that he came before the Committee, in the execution of his duties, under circumstances somewhat to his disadvantage. For many years a gradual diminution in the dead weight of the army had been going on, so that it was impossible for any one holding the office which he had the honour unworthily to fill, to come forward at the present moment with any very flourishing comparative statement between the amount of the Army Estimates now, and those of former periods. There was also another cause for his being placed in a disadvantageous light on the present occasion, which resulted from the possibility of a comparison being instituted between his right hon. friend at the head of the Admiralty, and himself, with regard to the reductions which his right hon. friend had been enabled to make in the expenditure of the navy, since he had managed that branch of the public service. Whilst he could point to no such favourable circumstances, at least to anything like an equal extent in the department controlled by him, there was this consideration, however, to be offered in extenuation—namely, that the Secretary-at-War had simply to deal with a given number of men and a certain amount of money, which was requisite for their support, whilst the First Lord of the Admiralty, having a much larger scope wherein to exercise his powers of retrenchment and views of economy, had a proportionably greater opportunity for earning that praise which his right hon. friend had so justly received. It was, however, his good fortune, on the present occasion, in bringing forward his branch of the public expenditure, to have it in his power to say that, in the Estimates which he was about to lay on the Table, there was, in spite of that constant and gradual diminution in the non-effective part of them during recent years, to which he had already referred, a further diminution on every item charged to the account of the effective and non-effective forces, to the amount of 206,000*l.* compared with the amount of the same Estimates in the last year. In rendering this saving clear to the apprehension of the House, he must trouble hon. Members for their attention whilst he made a short statement of the comparative number of troops employed now and at former times, as well as of the increased colonial possessions of Great Britain, which rendered it necessary to maintain the present amount of forces. In making this statement he should avail himself of none of those arts of mystification by which former similar statements had, he feared, been too often justly characterised, but he would endeavour fairly and openly to show where the differences existed, in what services it had been found necessary to increase the number of troops, and in what other services their number had been diminished, and he would also endeavour plainly to state the exact amount of debts and credits in sums total for the different branches, so as to enable the House to comprehend with little difficulty the present condition of the army, and the amount of expenditure which was required to maintain it at its present effective height. He was, however, compelled, reluctantly, to own that the decrease in the effective part of the service was not carried to that extent which had been expected; but, on the contrary, the complement of that portion of the army was kept up to the same amount at which it was when he first had the honour of accepting his present office. But, at the same time, he was enabled to point out, in the present Estimates the absence of several items which were formerly strongly contested as not forming part of the necessary appendages to the effective state of the army during a time of peace. These items were the waggon-train, the army medical department, the Permanent Assistant Quartermaster-General, the Inspector of Clothing, and the Staff of the Civil Governorships, which latter item, however, had disappeared from former Army Estimates. Owing also to arrangements which were made previous to his entering on the duties of his office, but which he had most zealously carried into execution, the dead weight of the Estimates had been reduced to an extent which previously could not have been hoped for, and he earnestly trusted that the House would give him credit for the endeavour, during the term of his continuance in office, to carry into operation the views of those who preceded him, as well as those which he entertained himself, with respect to the reduction of the most objectionable parts of the army Estimates. The first item in the present Estimates was decidedly the smallest that had appeared since the year 1820. He could show, at the same time, that since the year 1820 there had been an average annual decrease in the charge to the amount of 276,000*l.* on this part of the Estimates; and it was not to be expected that with an annual decrease to the extent he had mentioned, a greater diminution could be expected from him. The amount of the forces which were required for the present year was, exclusive of India, 78,502. In India there were 17,289; making in the whole, the number of 95,791 men. The force was thus distributed:—In Great Britain, 21,783; in Ireland, 23,144; abroad, exclusive of India, 33,706; making up, with the veteran companies, the East India force, West India regiments, and colonial corps, 95,791 men for the entire service. Before he proceeded further, he begged leave to call attention to the observations, or rather comparisons, which some hon. Members were in the habit of indulging in, between the feeble force kept up in 1792 and that now maintained as necessary to the exigences of the country. It would be seen, unless he much deceived himself, that if the increase in the population and territories subject to the British Crown that had taken place since 1792 were duly considered, that even our present force, naval and military, had not increased in an undue proportion. In 1792, our military force consisted of 48,948 rank and file; in 1833 our force was, as he had stated, 95,791 men. He would explain how the difference was made up. The force employed in what he would call the old colonies had increased since 1792 only from 15,108 to 16,058 men. The first ground of this increase was the increased consequence of New South Wales, which required 1,788 men additional; the next was the increased force required by the present condition of Jamaica; in Canada there was 225 men less than in 1792; in the other North American colonies—Nova Scotia, New Brunswick, Cape Breton, and Newfoundland—there was a small increase; in Gibraltar the decrease was 1,025. In the whole of the old colonies, however, exclusive of India, and deducting the increase caused by the growth of New South Wales, there were actually nine men less than in 1792. The increase of our forces abroad was wholly owing to the new colonies which had come into our possession since 1792, and to the great increase which had taken place in the entire British population. These new colonies absorbed not less than 16,697 additional to our colonial force in 1792. Our Indian empire, which in 1792 only required 9,513 men for its entire rule and protection, and which now required 17,288 for the protection of British interests, included a population of not less than 89,577,000 souls, and extended over a surface of not less than 1,128,000 square miles. On the face of it such increased empire required an increased military force to protect it. Then there was the increase in Great Britain of 7,000 men in round numbers since 1792; and Ireland, in which there was an increase of 13,151 men. But the increase of population in Great Britain and Ireland ought to be taken into account. He might observe, in passing, that the population of the new colonies was equal to almost a fraction, to that of our old colonies—that is, those in our possession in 1792. That increase was since 1792, from 13,882,000 to 24,271,863, its amount at the present time These facts warranted him in maintaining that the complaints of hon. Members, of our military force having increased in a most undue proportion since 1792 were not well founded. But then it had been argued by an hon. and gallant Member, (Colonel Davies), and others, that though this was true, comparing population with the amount of our force, yet, that if a better system of management were adopted, a much smaller force would be fully adequate to the wants of the public service. It had been said, for example, that the dépôt system admitted of much improvement, and that there was no necessity for keeping so many men idle at home. It was true that the relative number of men at home was greater now than in 1792; that while there were then but sixty-two at home for every 100 on foreign service, we had now seventy-five for every 100; but, he could assure the Committee that the dépôt and relieving systems now in force, were those which the best judges, civil and military, including the Duke of Wellington, Lord Palmerston, Sir Henry Hardinge, Sir Henry Parnell, and Sir Willoughby Gordon, had declared to be the most economical and the most efficient. But for these, dépôts, which some hon. Members objected to, the pension-list would be very considerably augmented, and they afforded the most facile means of effecting reductions when reductions were practicable and expedient. For example, say a regiment returned from foreign service sick. If there was not a large dépôt to accommodate them, many would be put on the pension-list, others sent to hospitals; but, by affording them the means of proper treatment in the dépôts, they were recovered and fitted to be again sent out on foreign active service. These dépôts were also advantageous as presenting so many points throughout the country in which the Government could avail themselves of small but compact bodies of men fit for the public service, and, as he had stated, affording the safest, most practicable, and economical means of reducing the public force without impairing its efficiency. He could assure the House that the mode of reduction pursued in 1821 and 1822 had been productive of serious evil, and that it would be many years ere the dead weight had recovered from its consequences. Were hon. Members aware of the great difference of opinion which obtained in the Finance Committee respecting the amount of saving that might be made in this branch of the public expenditure, that, in fact, the majority agreed that any further safe reduction under the existing circumstances of the country was hardly practicable, and that, after the fullest calculations and detailed inquiries, Lord Palmerston, who had great experience on the subject, could only suggest a reduction to the amount of 6,000. It was, he trusted, hardly necessary for him to say that the present Administration would be glad to make still further reductions, and that he should be glad to propose lower Estimates than those which were in force on his accession to office. It was found, however, that consistent with the exigences of the public service, Ministers could not propose such reductions as they could wish, and that, in point of fact, the number of men effective and non-effective would be more in this year's Estimate than in that of 1830. For the employment of the increase, Government was bound to account. Abroad, there was 7,689 rank and file more than in 1830, while 6,695 were employed on the home service, of which a large portion was required in Ireland. In the Mediterranean there was a diminution of 1335 in the force since 1830; in the Cape of Good Hope there was an increase of 105 men, in New South Wales an increase of 757 men; the Mauritius of 620 (he need not explain the reason); in the West Indies an increase, and in Ceylon and Canada a reduction—in the former of 292 men, in the latter of 626 men. There was a slight increase in the force employed on the coast of Africa. He thought, that a reference to the state of some of our colonies would account in a satisfactory manner for the excess of force which was employed in 1833 above that employed in 1830. Now it only remained for him to explain the difference of force employed in the last year and that which it was proposed to employ in the present. We had this year 4,092 men less in Great Britain than we had last year; but he was sorry to say, that, owing to the same unfortunate circumstances which existed in Jamaica, Mauritius, and elsewhere, we had 3,673 men more than we had last year. Exclusive of India we had this year 500 men more employed abroad than last year. Having thus stated the amount of force which it was proposed to employ this year, he trusted that the House would not consider him as going out of his way if he stated that he conceived that there were no circumstances in the state of the country which would justify a diminution of our military forces below the numbers of last year. He was sorry to say, that we could not boast of complete tranquillity in our own dominions, and that the aspect of affairs abroad was not such as to justify him, however desirous of economy he might be on principle, in thinking that he should only be performing his duty in asking this year for a diminished force. Thinking it possible that some Gentleman might be led away by statements which had appeared in the public journals to the effect that there was a diminution of force in the military establishments of other nations, he trusted that the House would permit him to read from a table which he held in his hand, to mention the amount of force—which was really awful—that was kept up by the other Powers of Europe. The most striking way, without going into details, in which that amount could be presented to the House, appeared to him to be, by stating the proportion of armed men in the principal states of Europe to the amount of their population and of their revenue. He held in his hand a table of the number of men employed in the military service in different countries, and the proportion which they bore to the population of those countries, which he would read to the House. The right hon. Baronet accordingly read the following table:—

—	Population.	Total Revenue.	Military Expenditure.	Proportions of Regular Army to Population.	Proportions of Military Expenditure to Revenue.
		£	£		
Great Britain..........	24,271,763	52,575,308	9,151,784	Effective 1 in 266	one-sixth.
France................	32,561,000	35,634,882	9,496,520	〃 1 in 77	one-fourth.
Austria	32,500,000	12,200,000	8,000,000	〃 1 in 116	two-thirds.
Russia	49,000,000	19,300,000	6,791,667	〃 1 in 57	one-third.
Prussia	13,400,000	7,693,050	3,419,745	〃 1 in 115	one-half.
Spain	13,950,000	6,774,007	2,530,848	〃 1 in 273	one-third.
Holland	2,445,000	4,166,666	4,258,333	〃 1 in 43	four-fourths.
Belgium	3,533,538	5,750,000	2,880,000	〃 1 in 42	one-half.
Bavaria	4,270,000	2,800,000	687,334	〃 1 in 95	one-fourth.
United States of America.	13,100,000	5,572,827	1,411,335	〃 1 in 1926	one-fourth.

Thus it appeared that the proportion of the Military Expenditure to the Revenue, was only one-sixth in England, which was less than in any other country whatever. He would next state the amount of force kept up in each country; it was as follows:—

—	Infantry.	Cavalry.	Artillery.	Staff, Engineers, Garrison Troops, Gendarmes.	Total.	National Guards, Militia, or Landwher.
Great Britain					effective 91,289 men non-effective 107,076 men	
France..........	280,000	52,000	39,000	50,494	421,494 men 82,057 hors.	1,400,000
Austria	220,000	36,800	16,000	7,200	280,000	400,000
Russia	576,000	66,000	70,000	150,000	862,000	M. Colonies
Prussia	56,200	19,300	13,500	28,000	117,000	389,000
Spain	40,000	6,400	3,600	1,200	51,200	Reserve 25,000 Militia 30,000
Holland	49,000	4,800	3,000	Vet. 750	57,550	Schut 12,000
Belgium	68,880	7,820	5,446	1,473	83,619	20,400
Bavaria	32,000	5,600	3,172	4,228	45,000	145,000
America	4,536	—	2,166	Staff 100	6,802	1,190,000

He hoped he had not tired the House by these details. He did not mean to state that this country, from its insular position, ought to regulate its force by the conduct of other powers; but he did mean to say, that with reference to the former establishment of the country, and with reference also to the position of the continental powers, we had a right to hold ourselves in the same defensive attitude as during former years. Notwithstanding the appeals which had been made, and he admitted very properly made, to this Reformed Parliament, he did not think that one of their first acts should be to paralyse the efforts of the Government of the country, particularly when just cause had been shown for maintaining all those armaments. If hon. Gentlemen would but cast their eyes over Europe, they would see that there was no state so great or so small, so near or so remote, which had not, by its armaments, some effect upon the military establishments of this country. Whether it was in Europe or in Africa, in America or in India, in the Mediterranean or in the Pacific, the slightest movement made by any power there rendered it necessary for our military vigilance to be in full activity. In the very Estimates then before the House the petty motions of the King of the Mandingoes had swelled their amount by 500*l*. He trusted that the House would not object to this vote. If any constitutional jealousy prevailed against a large standing army in time of peace at former periods, he trusted that those hon. Members who believed with him that the House now really represented the sentiments and feelings of the people of England, would be satisfied that such jealousy could no longer be justified, and that even any suspicion would be diminished by a just confidence in the House. Under a Reformed Parliament all fears of that kind would be at an end, for the force which ought not to be trusted to a few, might safely be intrusted to those who represented the people of the empire. Those Gentlemen, therefore, who might think that because he objected to the maintenance of such armies in other times, they were still bound to oppose them, were mistaken, for the grounds of suspicion and jealousy which formerly might be justly entertained were now removed by the change which had rendered that House the real representative of the people. The right hon. Baronet concluded by moving that the number of 89,419 men be employed as the land forces of the British Empire, exclusive of those maintained in the East Indies, for the year beginning the first of April, 1833, and ending the 31st of March, 1834.

Mr. *Hume* would put it to the House whether, at this late hour of the night—twelve o'clock—it would be advisable to proceed with the discussion. For himself, he was fully prepared with what he had to say on the subject, but he made the suggestion in accordance with the wishes of all those around him, and many others who had to work in Committee to-morrow morning. He appealed to the House as to the adviseableness of proceeding.

Lord *Althorp* must persist in proceeding. He was perfectly surprised at such a proposition emanating from the hon. Gentleman as he understood that the hon. Member was willing to proceed. At least let them agree to that one vote or it would be of no use whatever having gone into a Committee.

Mr. *Hume* proceeded. He had heard, he said, a great many allegations from the right hon. Secretary, but must confess that he could not place altogether implicit confidence in their infallibility. He had himself several statements on all the subjects mentioned by that hon. Gentleman, and must say, that either his own statement or that hon. Gentleman's must be essentially wrong. for they differed from each other. The right hon. Baronet had stated, that there had been a reduction of 276,000*l*. annually in the Military expenditure. Now, either that statement or the one which he was about to make, was one of the most erroneous ever put forth in that House. He had in his hand the Estimate of the expenditure for the Army for every year, from 1817 downwards; and, taking the limited statement from the year 1820, of the right hon. Gentleman, he would prove that it was erroneous. In the year 1820, the sum voted for the expenses of the Army was 6,870,000*l*. If the right hon. Baronet's statement were correct, and 276,000*l*. had been reduced every year, there would, by this time, have been a diminution of nearly 3,000,000*l*. on the Army Estimates of 1820; but the real diminution was only 800,000*l*., for the Army Estimates for the present year amounted to 6,070,000*l*. The right hon. Baronet was scarcely more fortunate in the statements he had made respecting the diminution of expenditure which had taken place in the army since the present Administration came into office. The Army Estimates for the year in which the Duke of Wellington resigned amounted to 6,200,000*l.*; this year they amounted to 6,070,000*l.*; so that the difference between the two years was much less than that which the right hon. Baronet had represented it to be. But the right hon. Baronet had also been guilty of another error, for the expense of the effective force of this year was 56,000*l.* more than it was in the last year of the Duke of Wellingon's Administration. The number of rank and file voted in that year for the army was 95,786; it was, however, reduced by the noble Duke before the end of the year by no less than 8,000 men. In the year 1831 that number was again added by the present Administration, in consequence of the fires in Hampshire, and the disturbances in other parts of the country. Now, the right hon. Baronet had not stated the reasons which induced him to increase the number of men by the same amount for the service of the present year. Did the same reasons exist for the increase as in 1831? No, they had passed away, and he was therefore at a loss to understand why the House should be called upon to vote that additional force. Again, in the charge for the non-effective service of the Army, if the arrangements which the Duke of Wellington had suggested and acted upon in 1829 had been acted upon by the present Government, there would have been a much more considerable reduction in its amount than there now was under the plans adopted by the present reforming and retrenching Government. He was prepared to show that the right hon. Baronet was equally wrong in his facts and in his calculations, and that there was much greater room for the reduction in the army Estimates than the right hon. Baronet seemed to think. In the civil establishments of the army, too, he was quite sure that as great retrenchments might be made as Sir James Graham had so creditably made in the civil establishments of the navy. He would not then, however, stop to enter into these items, but would come to the comparison instituted by the right hon. Baronet between our military force in 1792 and the present year. He was aware that it could not be reduced to exactly the same amount now as it was in 1792, but he thought that an examination into the mode of its distribution would show that a considerable diminution might be made in the number of men now employed. In the old colonies the difference of force employed then and now was not much; but we had now 17,000 men more employed in the new colonies. Was that number, he would ask, absolutely necessary? He answered that question in the negative. Why should we employ more men in Canada now than we did in 1792? At that time the embittered feelings of the Americans against this country might have rendered the maintenance of a large force necessary in that colony; but why should we have 5,000 or 6,000 men there now? He was informed that 4,000 men might be withdrawn from Canada, as 1,000 were quite sufficient for the ordinary military duties of that colony. The diminution of our army by that number of men would be a sensible relief to the country. He held in his hand a list of the distribution of the troops during the last year. He was instructed by those who were in every respect competent to give an opinion upon such a point to assert that, in Canada, Nova Scotia, and the Leeward Islands, where there were 10,000 troops stationed, one half of the number might be safely spared. Not only were the troops there not wanted, but, in the Leeward Islands especially, the inhabitants most ardently wished all the troops to be withdrawn. He pledged himself to prove that fact, if they would let him, at the bar, by the evidence of those very individuals to whose persons and property these troops were said to afford protection. They considered the force kept up among them disproportionate to the wants of the colonies, and therefore they objected to its continuance. He thought that another mode by which a large diminution in the number of troops employed in the colonies might be effected was, by conciliating the affections of their inhabitants to the government, instead of keeping them, as had been too often the case, under military control and coercion. He was glad to find that a conciliatory policy had been recently adopted by his Majesty's government towards Canada. He had recently seen several letters from Upper Canada, in which the writers stated their satisfaction at the change of policy which had recently taken place there.

Within the last six months the conduct of the Government had been so satisfactory that it might withdraw all the troops safely from that colony, and leave its loyal and well-affected inhabitants to defend themselves. As there was no idea of our being engaged in hostilities with the United States, why should the people of England, oppressed as they were by taxation of all sorts, be called upon to keep up in Canada, in time of peace, a force for which there was not the slightest necessity? The right hon. Baronet, in the course of his speech, had given them an account of the proportion which the military bore to the population of the different countries in Europe, but he had not given them an account of the proportion which the military bore to the population of Canada. He would find that, including militia, it was the same proportion which existed in the United States. The right hon. Baronet had told them that there was nearly a million and a half of militia in the United States; but he had not told them that the reason of that was that every male from sixteen to sixty was allowed to bear arms, and that before he could exercise the elective franchise he must be in possession of a musket and suitable accoutrements, with which to take the field at any moment. There were numbers of irregulars of this kind in Canada, and he had no doubt, that with kind treatment at home they would not only be able, but also willing, to defend their country against any attack from the irregulars of the United States. Besides, what could a regular force of 5,000 men, scattered as it must necessarily be on a long line of frontier, do against an American army, without the aid of the Canadians or regulars? He would, however, quit this part of the subject with a single remark, of which he trusted, that the right hon. Baronet would see the force—that America, with a population of 13,000,000, was content with 6,000 regular troops, whilst Great Britain, with a population of 24,000,000, could not be content without 94,000 regular troops. If a policy were adopted towards New South Wales similar to that which had been already adopted towards Canada, he had no doubt that the Government might withdraw every soldier from New South Wales with as much safety as from Canada. In New South Wales the colonists were ready to undertake to support their own military force, on condition of receiving a representative system, and of obtaining thereby the means of raising and managing their own revenue. The taxation raised from the colonists in New South Wales and in Van Diemen's Land was, taken per head of freemen, heavier than the taxation taken per head in England. In England, every man upon the average paid 4*l.* 10*s.* in taxation; in New South Wales every man paid 5*l.* 14*s.*; and over the disposal of the sum thus paid he had not the slightest control whatsoever. We had to maintain 1,700 troops, and if the reliefs were taken into consideration, not less than 2,400 troops for that colony. Now, if the colonists had the power of raising and managing their own taxes, they would undertake, that Great Britain should have nothing to pay for their military, ordnance, and commissariat. Hence, it was evident, that in this vote questions of principle were involved of the highest importance, not only to the pockets of the people of this country, but also to the safety, tranquillity, and integrity of the empire at large. He contended, that an alteration of the coercive policy which this country adopted towards the Canadian colonies would not only create among them great satisfaction, but be also productive of a great saving to this country. The Canadians had no desire to be separated from this country, but they did not wish to be kept in a state of inferiority and degradation. The bad system of policy which was acted upon with regard to the colonies, converted them from being a source of strength to the mother country, into a cause of weakness and expense; and the people of this country ought to be told that they were paying a tax to support from 30,000 to 33,000 troops in the colonies, besides relays amounting to upwards of 4,500 men, from which numbers as many as 25,000 men might be deducted if the colonies were properly governed. He would venture to say, that if the interests of the colonies were consulted by the Government at home, and their affections conciliated, the number of troops might be reduced from 89,000 to 60,000 men. [*The House at this period showed many symptoms of impatience*]. He was not surprised that hon. Members should feel some impatience at those details; and he assured them, that after having sat there for thirteen hours, he felt as little disposed to enter into them as any one. He should, therefore, say no more regarding the colonies, further than to ask the right hon. Secretary at War when this country was to be relieved of the expense of supporting 4,500 men in the Ionian Islands? And he would add, that there was no better field for the Government to show their desire for economy than in the colonies. With regard to Ireland, the House would see that the situation of that country was one which required great consideration. He complained that the Government should adopt coercive measures towards that country, which would oblige this kingdom to incur great expense, merely for the purpose of supporting the Established Church. If the Government were to do away with the Established Church in that country, he (Mr. Hume) would willingly agree to vote a sum for the support of the ministers of religion. Such a measure would save 30,000 men in Ireland. But the saving in the army was not the only benefit which would accrue from such a measure; it would likewise do away with that state of disquiet and insecurity, which must be felt as long as the Suppression of Disturbances' Act was in force; and it would allow men of capital from this country to settle there, which they could not be expected to do as long as even the dread of the Act hung over them. The excuse held out for maintaining a great part of the army was, that a large force being kept up by the continental powers, it was necessary for this country to keep up a corresponding force. But he would beg to ask, what connexion the amount of the continental armies had to do with the military force we ought to maintain? He could conceive that it might be proper to adapt our navy to the navies of the continental powers; but this country, from its situation, being less liable to be attacked than any other, he could see no reason why the armies maintained elsewhere should influence those of this country. As to the army in Ireland, there was, besides the regular military force, a body of police, amounting to 7,000 men, of the expense of which they had received no account, besides militia and yeomanry to the number of 50,000 men. This he considered far too large an establishment for the necessities of the country, and he thought it might be reduced with great propriety, without endangering the peace or security of the empire. It would be found that England, when compared with other countries, had three times their force, and that that force was maintained at double the expense of the force of any power in Europe. The only question at present, however, was, what force was requisite to protect the lives and property of the people, and to maintain the peace of the country? He had no doubt that a much smaller force would be necessary for that purpose than that at present maintained; and that the standing army might safely be reduced from 89,000 to 60,000. There was one other subject to which he would allude—he meant the number of officers. An officer was at present maintained for every eight men, which all military men knew to be excessive. It was three times the number maintained by the East-India Company, or, indeed, in any army in the world. If the House (continued the hon. Member) will go with me in opinion—and God knows how far hon. Members will be inclined to go, for at present they seem more inclined to go to sleep—they will support me in my Amendment to the Motion before them. I think that the number of men to be voted for the service of the year ought not to be more than was maintained during the Administration of the Duke of Wellington. There are indeed, many reasons why it should be less, for the Continent is not so disturbed, and there is not so much probability of war now as there was then. I shall, however, content myself with moving that the army be reduced to the standard of 1830. I shall, therefore, conclude, by moving—"That the Land Forces be reduced to 81,164 men," being the establishment maintained by the Duke of Wellington.

Major *Beauclerk* seconded the Amendment. He complained of the immense army maintained in the colonies, and especially in Corsica and the Greek islands. In the latter, the troops were employed against the liberties of Greece, and in support of the Turks, and created hatred to this country, and suspicion of its intentions. He thought the maintenance of those islands not only useless but mischievous; and the expense, in the present state of the country, was intolerable; he therefore begged to ask the right hon. Secretary at War, why they were not given up to Greece?

Lord *Althorp* said, he would place more reliance on the opinion of the hon. and gallant member for Surrey as a civilian than as a military man. He meant that the hon. and gallant Officer had had more time and experience in civil affairs than in military matters. The hon. and gallant Officer had stated that the Ionian Islands were useless, and had called on the right hon. Secretary at War to say why he did not give them up. He thought that the House would allow, that his right hon. friend would be wandering a little out of his department in deciding on what was purely a matter of foreign policy. The hon. and gallant Officer asked, why the Ionian Islands were not given up to Greece? He would merely answer, because, though they had at last been able to give a government to that country, still it was so unstable and disorganized, that they could not act towards it as towards an old and settled country. With regard to the remarks of the hon. member for Middlesex, he would remind the House, that the question was not whether the number of men to be voted should be more or less, but whether the number of the army as proposed by the Government was more than sufficient to maintain the peace of the kingdom, and secure the property of his Majesty's subjects. The hon. member for Middlesex had said, that the inhabitants of the Leeward Islands were displeased that there should be so many troops quartered among them. He had never heard that opinion before, and he never was more surprised than when he heard the hon. Member make the assertion. Every one must see that the state of those colonies was at present very dangerous, and that it would soon be necessary to come to some definite conclusion regarding them; and he did not think that it was when approaching that conclusion, they ought to diminish the force in them. Then, with regard to Ireland, he would ask, was this the time to reduce the force in that country, when they found it necessary to come to Parliament to ask for additional powers in order to enable them to maintain peace within it? He thought that the very worst species of force which could be used was the yeomanry, and he suspected that few of the people of Ireland would feel pleased, were the Government to adopt that species of force. The hon. member for Middlesex had likewise said, that he thought the colony of New South Wales should get a separate Legislature. He (Lord Althorp) was always inclined to give separate Legislatures where the colonies were in a fit state to receive them; but he thought it was a very doubtful question, if a convict colony was exactly the proper one to which to give a separate Legislature. He admitted, that the increase in the continental armies was no reason why this country should maintain a large force. The present force of this country had, however, ample employment at home and in the colonies, without any such reason being held out for maintaining it. He would therefore say that, looking to the state of the colonies and of Ireland, he did not think that the present was a time when the Government could venture to reduce the number of the forces.

Mr. *Warburton* wished the discussion not to be prolonged, and the division to be taken on the next Resolution.

Mr. *Wynn* saw good reason, in the state of this country, and in the state of the colonies, to keep up the army; but he saw no reason to keep up this force in the present state of Europe. If a large standing army was to be kept up on the ground of confidence in the Reformed Parliament, Reform would be a curse to the country. It was not a sufficient justification of our keeping up a large army that other States kept up large armies. He and his noble friend (Lord Althorp) had opposed this principle seventeen years ago with success.

Sir *John Hobhouse* said, he would agree to the suggestion of the hon. member for Bridport, and consent to take the division on the money grant, and not on the number of men.

Amendment negatived.

The vote of 89,419 men was agreed to.

The House resumed.

HOUSE OF LORDS,

Thursday, March 28, 1833.

MINUTES.] Papers ordered. On the Motion of Lord ELLENBOROUGH, Copies of Correspondence between the President of the Board of Control, and the Court of Directors of the East India Company, with respect to the Measures to be adopted on the Expiration of the present Charter of the East India Company.

Bill. Read a third time:—Sugar Duties.

Petitions presented. By the Bishops of HEREFORD, CHESTER, LICHFIELD, and COVENTRY; by Lord AUCKLAND, and the Earl of RODEN, from a Number of Places,—for a Better Observance of the Sabbath.—By Lord CLONCURRY, from three Places in Ireland; and by Lord POLTIMORE, from Wellow,—against Tithes and Church Cess. By the Earl of WICKLOW, from Elphin; and by the Earl of RODEN, from Maghera, Kilmegan and Kilmainham,—against the proposed Measure of Church Reform (Ireland).

ABOLITION OF SLAVERY.] Lord *Suffield* had to present Petitions from three different places upon this subject. He had, indeed, many more; but he presented these at the present moment just to clear the way for others, which he believed would soon be sent up to their Lordships. There were certain rumours abroad as to the intentions of the Ministers with regard to negro slavery. If there was any foundation for those rumours, he was sure that they would produce in the public mind the same consternation that they had given rise to in his. As, however, they were but rumours, they did not lessen his confidence in his Majesty's Ministers at this moment, but he trusted they would prove untrue. This measure could not much longer be delayed; for, if it were, it would be demanded as forcibly and irresistibly as the measure of Reform had been. He knew that the principles of his Majesty's Ministers were sound and right; but he could not be blamed for entertaining some fears when he knew that they were met on almost every side with an array of prejudice and of false notions of self-interest that it would be hard for them to overcome. Whatever measure they might propose would be strenuously resisted, and he wished to get for them that support which would alone enable them to carry any measure upon this subject by the strength of popular opinion. That support they would not have if the rumours he had alluded to were true. He would tell them most distinctly, that nothing short of the immediate and total abolition of negro slavery would satisfy the people of this country. He wished here to say what meaning he attached to the words "immediate abolition." He did not understand by them the sailing of the first ship that could carry out their determination, but the earliest possible and practicable substitution of legal restraint for the absolute and irresponsible power of the master. He should move to bring up the petition, which was from the inhabitants of Edinburgh, who, to the number of 21,291, had attached their names to it.

Lord *Ellenborough* was not aware of the rumours to which the noble Baron alluded; and it would have been more convenient to their Lordships if the noble Baron had stated the nature of them. Without entertaining any particular confidence in his Majesty's Ministers, he must say, that he should be unwilling to relieve them from any responsibility upon the subject of colonial slavery, to put it upon the noble Lord opposite. He had hoped that, before now, that House might have been called on to enter into some discussions upon the question. The state in which it stood was that in which it was most productive, he would not say of inconvenience merely, but of danger. The question might be said to be at this moment suspended over them. If the Ministers really had prepared any plan, it was desirable that they should produce it, and subject it to the investigation of Parliament. The delay in doing so would only tend to create difficulties, which might frustrate the carrying into effect the intentions of Parliament, as declared in 1823, and might defeat the reasonable wishes of the people. The uncertainty in which the matter stood now, both here and in the West Indies, must create in the minds both of the planters and the slaves, feelings that would render it difficult, if not almost impossible, for Parliament to adopt afterwards any measure beneficial to the great interests of the country, and capable of being carried into effect with safety to the colonies. He deprecated delay as much as he wished to avoid precipitancy, and he hoped that his Majesty's Ministers would appear, when their plan was produced, to have taken a more sober and rational view of the subject than seemed to have been taken by the noble Lord opposite.

Lord *Suffield* said, that the rumours to which he alluded he had seen embodied in a paragraph in a daily journal. If those rumours were correct, the plan for emancipation would not, he was sure, satisfy the people. He feared, that whatever plan the Ministers might propose, would be opposed as far as possible by the West-India proprietors. His Lordship then presented a petition from Sheffield, signed by 11,000.

Viscount *Goderich* said, that after what had passed, their Lordships would perhaps excuse him if he said a few words upon this subject. With respect to the rumours of the intentions of Government as to the subject of colonial slavery, it was, of course, quite impossible that he should be answerable for them. Even the noble Lord himself did not seem to place much reliance upon them, by the manner in which he had stated them. The noble Lord did at first not state what they were, and afterwards he referred to some extract from a newspaper. Every one must agree with him, that it was not necessary for the Government to undertake to explain rumours founded on such loose authority. The noble Lord had said, with respect to the delay of which he complained, that it arose from that particular body of persons who were interested in the consideration of this great question. He was not conscious that there had been anything which could fairly and strictly be called delay. In a matter of this kind, it was the duty of the Government to give their utmost consideration to views and circumstances which necessarily belonged to so intricate a matter; and he thought, therefore, that no charge of delay could be substantiated against the Government; and it was, consequently, not his business to state any communication which had taken place, or any result which might follow. He was perfectly aware of the importance of the subject. It would be strange if he were not. He was equally aware, that the sense of Parliament should be taken on this subject at the earliest period; but he nevertheless must take the liberty of saying, that if the wish for bringing forward this subject at an earlier period of this Session had been complied with, it would have been anything but advantageous or safe, or satisfactory, with a view to the final and just settlement of the question.

Earl *Fitzwilliam* wished to make a few remarks with regard to the delay which had been made the subject of observation. When his noble friend said, that the question must be early settled, he did not mean that the people wished it to be precipitated, and for himself he should at once say, that he thought the question ought not to be brought forward till the undivided attention of both branches of the Legislature could be given to it. He was the person who had most recently taken his seat in their Lordships' House, and he more recently than any of them had been in contact with large bodies of the people; and he could tell their Lordships, most of whom from their habits were less in the habit of meeting them than he was, that they were not well aware of the strong feeling that existed among the people on the subject. There was a time when this question was confined to the large towns, and when secluded districts, and the distant agricultural quarters of the country knew nothing of it; but at this moment these places were as anxious on the subject as any others. If their Lordships did not decide this question satisfactorily to the people, they would not be, what they were to a certain extent although not elected, the representatives of the people.

The Duke of *Buckingham* regretted, that the measure which the Ministers had determined on, had not been introduced earlier. It was the duty of his Majesty's Ministers to have brought it forward at as early a period as possible. That the question was not brought forward earlier was not the fault of the West-India proprietors, who were most anxious to have it considered, and who complained that it had been so long delayed. If the Ministers consulted any one connected with the West Indies, they did so partially, and it was of that partiality and of the delay, that the West-India proprietors justly complained.

Earl *Grey* said, that whatever anxiety the Ministers might feel to bring forward this question, they were perfectly convinced that it required great deliberation and a most accurate examination of all the circumstances connected with it; and still more, that to render the measure at once effectual and beneficial, they must have the active co-operation of those whose interests were connected with the measure before they introduced it. However easy and popular might be these attacks on the Ministry for the delay of which they were accused, he would rather hear them than subject himself to the charge of precipitancy in introducing a measure which, unless brought forward with the greatest possible care, could be neither safe nor satisfactory. He did not think it could be imputed to the Ministers as matter of blame, that they should wish to get the co-operation of those most interested in a work which all must acknowledge to be most difficult and dangerous. Their endeavours had been to assure themselves of that co-operation. The noble Duke had complained that their communications to the West-India body had been partial. Surely he would not have had the Ministers go to general assemblies of the West-India proprietors at Exeter Hall, or other places, and there make and receive communications on this delicate subject. Their only way, then, was to consult privately those who were interested in it, so that they might obtain their co-operation if they were favourable, and if not, that they might procure information. As to the plan, he could not at that time state what it was. He could only say, generally, that the attention of the Government had been directed constantly and carefully to this great object, and that they would bring it forward as soon as they could, with a probability of its satisfactory result. He did not understand what the rumours alluded to were. The Ministers were not, however, responsible for these reports, nor should he pretend to explain them. If there was nothing more in the matter than to say that there should be an immediate abolition of slavery, the work would be short and easy, but complicated as the question was, many interests being concerned, and the difficulties increasing the more it was looked at, the task was something very different from merely saying, the slave should be free. He was glad to learn from his noble friend, that among the friends of abolition "immediate" did not mean "instant." He was as anxious for emancipation as any other noble Lord, and he would take the terms of his noble friend, that as soon as it could be safely accomplished, it ought to be. But in effecting it, especial attention should be shown to the interests of those unfortunate creatures for whom they would have to legislate.

The Duke of *Buckingham* thought it right to state, that great misapprehension existed in the public as to the opinions and wishes of the West-India body, the majority of the members of which were as anxious for emancipation as any other persons could be.

The Duke of *Richmond* merely rose to deny the statement, that disputes had taken place between Ministers as to the abolition. There had been no disputes whatever in the Cabinet upon the subject.

Lord *Suffield* was rather surprised at the statement of the noble Duke on the opposition benches (the Duke of Buckingham); for he considered that the whole conduct of the West-India body in question had been characterised by contumacious opposition to his Majesty's Government. Throughout they had desired delay, and endeavoured to procrastinate a settlement. When he asked for immediate emancipation, he meant that measures should be immediately taken to effect that desirable object. His Lordship then presented a petition in favour of "immediate emancipation, with safety to all parties," from Glasgow, signed by upwards of 31,000 persons.

Lord *Ellenborough* said, no persons were more interested than the slaves themselves in the avoidance of intemperate and irrational legislation.

LOCAL JUDICATURES — LAW REFORM.] The *Lord Chancellor* said, that with their Lordships' leave, he should present to them a Bill of very great importance, and on which much consideration had been bestowed. The Bill was for establishing, throughout the kingdom, Courts of Local Jurisdiction. It was well known that he had, some time since, introduced this measure, and its principle and many of its provisions were then very fully discussed. Indeed, the principle had been so fully discussed, that he should not trouble their Lordships now with one word in favour of the measure, reserving himself, on that point, until he proposed the second reading of the Bill, to which he meant now to ask their Lordships to give a first reading. He admitted, that the Bill was one of very great importance, and, therefore, he felt it his duty not to introduce it, without endeavouring to give their Lordships a brief outline of its object and main provisions. It was a Bill to establish, experimentally in the first instance, in certain counties and districts, with a view to extend the principle ultimately—and, he trusted, within a very short period, universally—throughout this kingdom, Courts of Local Jurisdiction. It was proposed that there should be a Sergeant-at-Law, or a barrister of ten years' standing, to preside over those Courts, for it was most important that the Judge should be a person of such weight and professional character that the suitors of the Courts should feel a well-grounded confidence that justice was administered by a person of learning and experience. The next question which suggested itself was, as to the kind and extent of jurisdiction which the Courts established under this Bill should exercise. First, as to the amount of the debt in actions of debt, or actions of that description, and of damages in what the lawyers called actions of tort. In the Bill which he had formerly introduced on this subject he had proposed that the Courts of Local Jurisdiction should take cognizance of all actions of debt, when the sum sought to be recovered did not exceed 100*l.* Since he had introduced his former measure he had had a great deal of communication with those learned persons who composed the law commission; and from various considerations, into which he should not now enter, he had come to the resolution of proposing, at least in the first instance, that the Courts of Local Jurisdiction should only take cognizance of debts to the amount of 20*l.* and under, instead of 100*l.* as he had formerly proposed. Doubtless this was a great restriction of the powers which he had originally intended to give to the Courts of Local Jurisdiction; but, as he had before intimated, there were a variety of reasons which had induced him to accede to so important a deviation from the plan originally proposed. What was now intended was, to give the Local Courts a jurisdiction in all actions of debt, or actions of that nature, to the amount of 20*l.* In other words, 20*l.* was the greatest amount which a plaintiff could recover in those Courts in an action of debt. In actions of damages, which included actions for assault, trespass, false imprisonment, seduction, slander, maliciously suing out a commission of bankrupt and all wrongs of that description, it was proposed that the Local Courts should have a jurisdiction in all cases in which the damages laid in the declaration did not exceed 50*l.* It was well known, however, that Juries were in the habit, in actions of tort, of not giving the amount of damages laid —in fact, they usually gave very much less —and it would not be possible, perhaps, at once to induce Juries to depart from that practice. It was, therefore, intended to allow the Courts of Local Jurisdiction to take cognizance of all actions of tort, in which the damages were not laid at a sum exceeding 50*l*; but as the Bill also contained a provision that no costs should be obtained by any plaintiff who brought his action in any of the superior courts, and recovered less damages than 20*l.* the damages really sought to be recovered in the Local Courts would generally amount only to 20*l.*: thus limiting the jurisdiction of those Courts in actions of tort, as well as actions of debt, to the sum of 20*l.* The trial of all questions connected with real property, all actions involving questions as to title, or as to the right to tithes or tolls, would be excepted from the jurisdiction of the Local Courts, and properly confined, as they now were, to the superior Courts. He held in his hand a few returns which he should read, to show that such actions as those which it was intended to place under the jurisdiction of the Local Courts formed no small proportion of the whole number of actions brought in this kingdom. It appeared from those returns that, in the year 1826, the number of actions of debt brought in the three superior Courts of Common Law at Westminster amounted to 93,000. Of that number 30,000 were for debts under 20*l.*, and 48,000 for debts under 50*l.* whilst only the remaining 15,000, or about one-sixth of the whole, were brought for debts above 50*l.* In the year 1822 he found that 890 cases were tried in London and Middlesex, cases which originated in the superior Courts, and were brought to trial in London and Middlesex. In 313, or above one third of those 890 cases, he found that the damages recovered were under 20*l.*; and this return included actions for debt, as well as actions for damages. Generally speaking, one-third of the actions in the superior Courts were brought for sums not exceeding 20*l.* He had returns showing the number of cases tried on the Oxford Circuit, in the years 1829 and 1830, which confirmed, or more than confirmed, the accuracy of this calculation. Out of 340 cases tried on that Circuit in those years, 160, or nearly one-half, were for sums under 20*l.* So much for the jurisdiction of the Local Courts in compulsory cases—in cases in which the plaintiff must bring the defendant into the Local Courts and into no other Courts. But there was a provision in the Bill which extended the jurisdiction of the Local Courts upon the consent of the parties to an action. It was proposed, in fact, to give the Local Courts a jurisdiction in all descriptions of actions, and to any amount, provided the parties to the action consented. There was another very important provision in this Bill, by which the plaintiff or defendant in all actions of debt was at liberty to examine his antagonist upon oath before the trial of the cause. There was also a provision made to give the Judge of the Local Court the power of acting as an arbitrator. It too frequently happened at present, that after a cause was brought down to be tried before a Judge, and great expense was gone to in procuring the attendance of witnesses, it was found that the question was more fitted to the decision of an arbitrator than of a Jury; and it was referred after all the expenses had been incurred. Much of the expense and delay consequent on such a proceeding would be spared by a reference to the local Judge. There was another provision in the Bill which he considered one of great importance—he meant the establishment of a Court of Reconcilement. The principle on which those Courts were established in other countries, and the success which had attended their institution, was matter of notoriety. He believed that in France the institution of Courts of Reconcilement had been attended with less success than in other countries. In Belgium and Holland he understood those Courts had been established with considerable success; and in some countries the success of these Courts was signally satisfactory and beneficial to the inhabitants. He alluded particularly to Denmark and Norway. After the Courts of Reconcilement were established in those countries, the number of suits fell off to one-third; that was to say, the total amount of actions was diminished by two-thirds. In a period of nine years 724,000 actions had been commenced, and of that number 448,000, or more than one-half, had been successfully and satisfactorily settled by the interposition of a Court of Reconcilement. In the year 1822 (he spoke now only of Denmark) the number of actions commenced was 31,000, of which the Courts of Reconcilement settled two-thirds, or 21,000; and of the remaining 10,000 very many never found their way into court. So much for the system under which the parties came before a temperate and disinterested Judge, who decided fairly between them. The next matter to be referred to the courts of local Jurisdiction was that class of cases in which the Court of Chancery now exercised a peculiar jurisdiction. He might here state, that he had kept out of the Bill all cases relating to legacies so that under this Bill the Courts of Local Jurisdiction would have no cognizance of that class of cases. This exception was made not because he was of opinion that no change was desirable in cases of that description, but that he conceived that the alteration would be better introduced by another Bill. The Bill gave the Judges of the Local Courts the power to act in all cases within their own districts as Masters in Chancery resident in the country. In all those cases in Chancery in which it was necessary to refer to the Master, and it was thought better to have *vivâ voce* evidence, the examination would proceed in the country, and by that means save great expense, as well as delay, to the suitors of the Court of Chancery. Another jurisdiction which the Bill proposed to bestow was that of bankruptcy. The late Bankruptcy Court Act, which had been completely successful, led to the extension of jurisdiction, which was now proposed, and which had not been inserted in the former Bill introduced by him. The establishment of the new Bankruptcy Court had given the most unqualified satisfaction to all persons interested—indeed he might say to the whole commercial world. He believed that there was no one so singular as to deny that the establishment of that Court was a most desirable and beneficial improvement in the administration of an important branch of the law; and it was now proposed, under this Bill, to make the local Judges commissioners, so that one of those Judges would stand precisely in the same situation within his own district, in all cases of bankruptcy, as if the Judges of the new Bankruptcy Court had sent down a commission to him in a particular case. The last of the provisions of this Bill to which he was about to call their Lordships' attention, was one of very great importance, not only intrinsically, but because of what it might and would tend to. He proposed to give local Judges the power of staying execution in all cases, unless where the defendant refused to answer the questions put to him relating to his property, or refused to give up that property for the benefit of his creditors. This provision, he trusted and believed, would lay the sure foundation for one of the greatest and most beneficial alterations ever made in the law of debtor and creditor; he meant the abolition of imprisonment for debt. A measure on this subject was proposed and would be shortly introduced by an hon. and learned friend of his in the other House. The great difficulty in bringing such a measure into practical operation consisted in the want of what he might call a proper machinery for securing the debtor's property for the benefit of his creditors. The machinery provided by this Bill would be equally applicable in principle to all cases of debtor and creditor. In his (the Lord Chancellor's) opinion no person ought to be imprisoned for debt unless he refused to answer the questions put to him, or to surrender his property—or, in short, unless he refused to do something which he ought to do for the satisfaction of his creditors, or that he had contracted a debt fraudulently or extravagantly, by living beyond his means. In the first of those cases, a debtor was contumacious when he refused to do that which the law directed him to do—in the last he was criminal. But in no other way, or in no other cases, but those of contumacy, or criminality, ought any man to be imprisoned for debt. Such was the principle of the measure which he thought he might state would be brought forward speedily after the recess in the other House of Parliament, by a learned friend of his—a principle which in his opinion, was consistent with reason, justice and, humanity. He could also say, that it was based on the recommendations contained in the report of the common law commissioners, and that in drawing it up every regard had been paid to imparting to creditors every security which it was possible to extend to them. In fact, its provisions would be of greater benefit to creditors than of advantage to debtors, and he had no doubt that when the measure came to be fully discussed by the Legislature, it would surely be adopted. It would be impossible, he thought, to achieve the objects to which he had stated the Bill had reference ,except by the establishment of Local Courts; but that being done, then every facility for the accomplishment of those objects would be afforded. Having given an outline of the Bill for establishing Courts of Local Jurisdiction, he would also state, that another measure for regulating the appellate jurisdiction of the Privy Council would be introduced into Parliament. The transfer of the jurisdiction formerly exercised by the High Court of Delegates rendered this measure necessary; and he hoped it might lead, at no very distant period, to a matter which he considered of still more importance—some regulation of the appellate jurisdiction of their Lordships' House, which would remedy the evils, and meet the objections now made to the mode in which that jurisdiction was exercised. There was another Bill which he had prepared, and which he should ask their Lordships to give a first reading to some evening before the recess, the object of which was, a reform in the practice and constitution of the offices connected with the Court of Chancery. The contemplated regulations would extend to the Six Clerks-office to the Registrar's-office, and, in a great degree to the Masters'-office. A number of useless and cumbrous places would be got rid of; and the new arrangements, he had reason to think, would greatly diminish the delays so much complained of in proceedings in equity, and at the same time diminish the expenses of suitors. One great object of the Bill was, to free from all suspicion the proceedings in the offices connected with the Court of Chancery. This object would be effected, he thought, by substituting salaries for fees, by which some of the officers were now paid the chief part of their incomes, and by abolishing what was called copy-money and gratuities altogether. In short, the Bill he proposed to introduce would impart greater justice and accuracy to the proceedings of every branch of the Court of Chancery. The following would be the list of the reductions in the offices to which he had alluded:—In the Six-Clerks-office a saving of 29,000*l.* would be effected; in the Report-office, a saving of 4,300*l.*; in the Registrar's-office of 10,500*l.*; in the Masters'-office of 11,157*l.*; which, with the further fees now received in those offices, to be abolished and compensated from the Suitors' fund, amounting to 14,000*l.*, would make a total saving of 68,957*l.* a-year. He would say no more of the contemplated measure than this, that much confusion would be prevented by it in the administration of the proceedings of those different offices. The noble Lord concluded by moving the first reading of the Local Courts' Jurisdiction Bill, and repeated that he should present the Chancery Offices' Reduction Bill to their Lordships some day before the recess.

The Duke of *Buckingham* did not propose to follow the noble and learned Lord through any part of his explanation of the provisions of the measures he had introduced in the present state of the House. The Local Courts' Bill, however, appeared to him to be a measure calculated to produce the most important changes, and he really was anxious to have some further information on the subject. He wished to know, in the first place, whether the Local Courts were to be fixed, or whether it was intended that the Judges should go a Circuit? The next point on which he wished for information was as to the extent of the jurisdiction. Was there to be a local Court established in every county, or was the kingdom to be divided into districts? He also wished to know how the Sheriffs' Courts were to be dealt with, in what cases the trial was to be by Jury, and, in such cases, in what manner the Jury was to be selected and impannelled. As to the Courts of Reconcilement, he also wished to ask whether it was intended, in case the Judge could not reconcile the parties, after bringing them before him, that he was afterwards to try the action according to the common course of law?

The *Lord Chancellor* would answer the last question put by the noble Duke in the first instance. For obvious reasons, the person who had endeavoured to reconcile the parties was not the person afterwards to try the cause. Such a person would have a bias on his mind, for he would probably have come to the conclusion that one of the parties was wrong, and, therefore, it was expressly provided by the Bill that when the Court of Reconcilement was unsuccessful, the cause should go for trial to the next Court of Local Jurisdiction. With respect to the Sheriff's Court, that would not be affected by the Local Courts' Bill. The writ of inquiry to assess damages was directed to the Sheriff, when there was judgment by default, and as those cases arose out of proceedings in the superior Courts, the Local Courts' Bill would have nothing whatever to do with them. He was obliged to the noble Duke for giving him an opportunity of explaining one or two other provisions of the Bill, which he had omitted to do in the first instance. The number of those Courts of Local Jurisdiction, and the extent of the jurisdiction as to place, would depend on the quantity of business that came before the Judges. It was intended to have certain districts. In some cases two or three counties might be included in a district. In all cases circuits would be appointed within the districts. The noble Duke would find, upon looking into the Bill, that it was provided that, at the commencement of every month (except the month of August, which was reserved for relaxation), the local Judge would commence trying the causes entered for trial, cause after cause, until the whole were disposed of. He was then to proceed to another part of the district, and so on to place after place, returning to that from which he set out, within a reasonable time, and avoiding the expense and loss consequent upon bringing witnesses and parties away from home. One part of this measure involved the abolition of the Courts for the recovery of small debts, many of which were to be found in different parts of the country. No action could be brought in any of those Courts for the recovery of small debts, where there was a better jurisdiction established under this Bill. Wherever a local Court was established, therefore, the Small-debt Courts would cease to act. Now there were rather more than 280 of those Courts established in different parts of the kingdom. Of those Courts many were totally inoperative. Some produced doubtful benefit, and another portion produced the very reverse of benefit—vexation, expense, and mischief. At the same time there were rights in individuals connected with those Courts, and some of them produced beneficial effects. In any case, where there was a Small-debt Court in beneficial existence, it was an argument *pro tanto* against the introduction of this measure in that district, and by the Bill a discretion was vested in the Crown to apply the provisions of the Bill or withhold them from certain districts, as might be deemed expedient. He did not suppose, however, that there were very many cases in which the constitution and practice of the Courts for the recovery of small debts, were wholly unexceptionable. As some persons had undoubted rights, however, by prescription and otherwise, as connected with those Courts, it was only just and fair that they should get compensation. In those cases this Bill proceeded upon what he contended was the only sound principle on which measures of legislative reform could proceed—the compensation of those whose just interests were effected by a measure of public improvement.

Bill read a first time.

HOUSE OF COMMONS,

Thursday, March 28, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. BARING, an Account of the Number of Persons to whom a half year's Dividend was due at the last half yearly payment thereof, on each description of Stock, with the Amount due to each: also an Account of the Gold and Silver Coin and Bullion, Imported into, and Exported from, India and China, to or from Europe and America respectively.—On the Motion of Mr. PEASE, the Quantity of Lead, and Lead Ore, Exported, or Imported, in the year ending 5th January last.—On the Motion of Mr. RUTHVEN, the Number of Commissions of Bankruptcy issued in Ireland, from the 1st of January, 1823, to the 1st of January, 1833; the Number of Certificates granted upon such Commissions; and the Number of Commissions superseded: also the Number of Summonses issued, Informations heard, and Penalties awarded, by the Lord Mayor of Dublin, and other Magistrates acting in the County or City of Dublin, against the Owners and Drivers of Hackney Coaches and Jaunting Cars, during the last three years.

New Writs issued. On the Motion of Mr. Spring Rice, for the Northern Division of Lancashire, in the room of Mr. Stanley, who had accepted the Office of one of his Majesty's Principal Secretaries of State; and for the City of Westminster, in the room of Sir John Hobhouse, who had accepted the Office of Chief Secretary for Ireland.

Petitions presented. By Mr. Estcourt, from Dundee, for the Speedy Passing of the Disturbances (Ireland) Bill. —By Sir William Ingilby, from the Political Union of Spilsby; by Mr. Wynn Ellis, from Leicester; by Mr. William Roche, Mr. Sheil, Mr. Barron, and Mr. Ruthven, from a great many Places in Ireland,—against that Bill.—By Mr. Estcourt, by Lord Norreys, by Mr. Foster, by Mr. Callander, by Sir William Ingilby, by Captain Yorke, by Mr. Hall Dare, by Mr. Bell, by Mr. Kennedy, by Captain Jones, by Sir George Grey, by Mr. Tennent, by Sir Oswald Moseley, by Mr. Collier, by Mr. William Evans, and by Mr. Wynn, from a vast Number of Places,—for the Better Observance of the Sabbath.—By Sir William Ingilby, by Mr. Bewes, by Mr. Pease, and by Sir Edward Codrington,—for the Abolition of Slavery.—By Mr. Bell, from Maryport, for the Abolition of the Punishment of Death in Cases of Offences against Property. —By Sir W. Ingilby, from Alford and Gainsborough; by Mr. Hodges, from Gravesend and Milton,—for granting to the Inhabitants of Corporate Towns the Privilege of Electing their own Magistrates.—By Mr. Hodges, from Crayford and Bexley; by Sir Oswald Moseley, from Uttoxeter and other Places; and by Mr. Robinson, from Worcester,—against the Beer Act.—By Mr. G. Young, from the Marines of Newcastle-upon-Tyne, for an Inquiry into the Causes of the Depression of the Shipping Interest; and from Shoreham, Chichester, and other Places,—for a Repeal of the Duty on Marine Insurances.—By Mr. Collier, from Plymouth, for an Alteration of the Law between Debtor and Creditor.—By Mr. Scholefield, from Birmingham, for a Repeal of the Taxes on Knowledge.—By Mr. Grote, from the Ward of Cheap, London, against the House and Window Taxes; and from the Jews of Bristol, for the Removal of the Civil Disabilities affecting the Jews.—By an Hon. Member, from Cosford and Blackburn, for the Abolition of the Duty on Taxed Carts.—By Lord Dudley Stuart, from Ayr and Arundel; and by Mr. William Roche, from Galway, for a Repeal of the Duty on Soap.—By Mr. T. F. Kennedy, from Ayr, for a Repeal of the Duty on Stamps for Receipts; and from Irvine, for allowing the Importation of Foreign Sugars, for the purpose of being refined for Exportation.

Counsel to Prisoners.] Mr. Ewart moved for leave to bring in a Bill to allow Criminals, in all cases, a full defence by Counsel.

Mr. *Poulter* wished to state what he conceived to be the present position of a prisoner under a charge of felony. It was not a real defence, nor a point of law alone that relieved a prisoner from a charge; but such was the mildness of the administration of the Criminal-law, that the slightest omission in the evidence—the smallest doubt—the most negative circumstance—the merest gap not filled up—was sufficient to absolve an accused party. In a Criminal Court the impression produced was, that every one concerned in it appeared to be engaged in a desire to procure an acquittal. It was not sufficient that guilt should be probable — and even morally certain — but the evidence was required to be of that overwhelming and decisive character, as to take away almost all possibility of innocence before a conviction could be obtained. What did the hon. Member propose to substitute for that? If the hon. Member should succeed in giving to a prisoner full defence by Counsel, he would drive him from the high vantage ground he now occupied; and bring him down into an arena of contention upon facts, forcing him to have a complete representative to whom, if he had any answer, that answer must be known, and from whom, therefore, it would be expected. When a prisoner had a real defence, it could require no speech by Counsel. Did the hon. Member not see that he was depriving accused persons of the most judicious defence that could generally be made, except by cross-examination—a total silence. If his system were adopted, the imprudence of those who were charged would induce them to commit themselves to a speech which as certainly would betray them. What would have been an acquittal, from some very slight doubt under the existing administration of justice, would be turned into a conviction by an ill-judged and indiscreet argument. As there was however reason to think that a prisoner was unfairly treated by the right which the prosecutor had of addressing the Jury, it would be better that such right should be taken away. In civil cases the slightest preponderance of proof decided the verdict. Suppose a civil cause between A and B, and that the evidence for A was as 1,000, the evidence for B as 999, there would be a verdict for A; but if this had been a felony, and B the prisoner, he would have been acquitted. Take a much stronger preponderance; say twenty to one, or 100 to one: —in both the same result would follow, because, if it were not so, an innocent man would be frequently found guilty. Suppose twenty-one cases, in each of which the proofs against the prisoner were as twenty to one, and suppose 101 cases in each of which they were as 100 to one, the obvious result would be, that if conviction followed in all, each of these classes of cases would include the conviction of one innocent man. It was precisely against such occurrences that the criminal law of this country was so wisely anxious to provide; and, therefore, a long course of ages produced a very few unjust judgments, the cause of which judgments was solely attributable to the imperfection of human knowledge, and to those unfortunate combinations which could not fail to mislead the most honest mind, and against which human calculation could effect nothing. The hon. Member appeared to him not to have sufficiently considered the meaning of the verdict of "not guilty." Such a verdict was very far from importing that the Jury believed a prisoner to be innocent, indeed it was quite consistent with a strong belief of his guilt; it was, in truth, an incorrect expression—it meant no more than the Scotch verdict of "not proven," according to the standard of criminal evidence. If it were said, that according to his view the proposed measure should be adopted as the best means of discovering the truth, he would exhort hon. Members who adopted that opinion, to pause before they came to any such conclusion. The general laws and rules of evidence were the same in criminal as in civil cases; but the standard for a verdict was very different; and it was, in his opinion, that the proposition of the hon. Member would have a decided tendency to lower the standard of evidence in criminal cases; to assimilate it more and more to the standard which prevailed in civil proceedings; and to endanger most materially the security of innocence.

Mr. *O'Connell* approved of the Bill, and said, that in the course of his long experience in criminal cases, he had seen many instances in which a conviction would not have been obtained if the accused were allowed Counsel for his defence. He had assisted at a trial in Ireland of three brothers, who were convicted and executed, though it turned out afterwards that they were completely innocent of the crime they were charged with. If he could have spoken in their behalf to the evidence adduced against them, he should have obtained unquestionably a verdict of acquittal. He could mention several other similar cases, and therefore he should not be justified if he did not support the present improvement in criminal law. He hoped that the hon. Member would withdraw his opposition to the Bill, and that it would meet with none from the majority of the House.

Sir *Thomas Fremantle* was inclined to think that prisoners would not derive much benefit from the provisions of this Bill, for if Counsel were allowed to address the Jury on their behalf, the prosecutor's Counsel would have a right to reply, and to press every point of evidence against them—a practice from which the Bar of England generally, if not universally, abstained at present.

The *Solicitor General* did not rise to oppose the Motion for leave to bring in this Bill, but rather to support it. The theory was certainly in favour of it, and in cases where a foreigner was tried, or where a blind man, or a deaf and dumb man, was put on his defence against a criminal charge, gross injustice was done by not allowing their defence to be made by Counsel. He doubted, however, whether it was expedient in all cases to give the prisoner the right of making his defence by Counsel, and he was even inclined to think that it would be better to take away from the prosecutor the right of addressing the Juror by Counsel than to give such right indiscriminately in all cases to the prisoner. He conceived that it would be wiser that in all prosecutions where Counsel addressed the Jury for the prosecutor, Counsel should also have the right to address the Jury for the prisoner. He would therefore enact, that unless a speech was made by the prosecutor's Counsel, no speech should be made by the Counsel for the prisoner. If the alteration contemplated by this Bill were made, the present number of Judges would not be sufficient to get through the criminal business of the country. In a civil case, the Judge often told the Counsel that he was going too much at length into general circumstances; but in a criminal case, what a very delicate task it would be for a Judge, when a man was being tried for his life, to say to the prisoner's Counsel —"You have stated that point before, several times; and therefore I hope you will go to some other part of the case." These objections struck him at first view, as being applicable to the practice that would take place under this Bill; but still the arguments in favour of carrying it into execution were so strong in theory, that he certainly should be disposed to make the attempt. There was a degree of scandal attached to the administration of justice, if any party could be said not to have been fully heard. He very much questioned, however, whether, in point of practice, this defence on the part of the prisoner might not sometimes produce an improper acquittal. Every one knew the effect of eloquence on a Jury: Judges were frequently old and infirm—trials sometimes concluded late at night, when the attention of the Court was exhausted—and it might happen in criminal cases, as it did sometimes on civil trials, that the Judge might say, "Gentlemen, you have heard the Counsel on both sides, and I have no doubt you will come to a right conclusion." Instead of which, it might frequently happen that they would come to a wrong one. At the same time to increase the number of Judges would be a matter of little importance, if the alteration proposed in the law were an improvement, for the number of the Judges might be easily doubled, and it was better that they should be doubled than permit innocence to suffer, or injustice to be practised.

An *Hon. Member* said, that if Counsel were allowed to both prisoner and prosecutor, it would have no better result than giving rise to trials of professional skill. The prosecutor in most cases being the richer, would have the advantage, since it might naturally be supposed that he could obtain the best professional aid. The disadvantage would be consequently on the side of the prisoner, who generally was the poorer party. He entirely concurred with the suggestions of the hon. and learned Solicitor General, that it would be better in some cases to take away Counsel from the prosecutor, than allow him to retain Counsel in all, and also give Counsel to the prisoner.

Leave given.

LANCASTER ASSIZES.] Mr. Ewart moved for leave to bring in a Bill for the removal of the Assizes from Lancaster to Liverpool and Manchester.

The *Solicitor General* would not exactly oppose the bringing in of the Bill, though he not only thought it inexpedient, but bad in principle. He thought it bad in principle, because he considered that such matters ought not to rest with the House, but rather with the Crown whose prerogative it belonged to settle this matter. It would be better to revive the Statute of Charles 2nd, which gave the power to the King in Council to remove the Assizes from one place to another.

Lord *Sandon* felt bound to support the Motion of his hon. and learned colleague; but in giving it his support, he would state, that he agreed with the hon. and learned Gentleman, that the principle of bringing in a Bill of that kind in such a way was bad.

Mr. *Rigby Wason* called upon the hon. and learned Gentleman to bring in a Bill to the same effect as the one he said was repealed. It would be wise to postpone the consideration of the present Bill till the Solicitor General could bring in a general measure.

Sir *Robert Peel* said, there was much good sense in the few words that fell from the hon. Members who had last spoken, and that it would be far better to postpone the consideration of the present Bill to a future period, than to hurry it on now when a general measure might make it wholly unnecessary. He considered, that if such Bills were allowed to be brought in through the medium of that House, much inconvenience would arise from it. The fixing of the Assizes would become a party matter, and the Representatives of large towns would be continually endeavouring to have the Assizes removed to those towns. That House was not the best tribunal to apply to for the removal of the Assizes from one town to another; the matter ought to rest entirely with the Privy Council. That being his opinion, he hoped the House would not allow any part of the present Bill to pass, and that it would be postponed until his Majesty's legal advisers had time to consider the subject.

Lord *Althorp* also considered that it would be better to withdraw the Bill for the present, that the subject might be more fully considered. He begged, therefore, the hon. and learned member for Liverpool to postpone his Motion to a future time.

Mr. *Ewart* agreed to postpone the discussion, on the understanding that the Solicitor General would bring forward the measure of which he had given notice.

Mr. *Richard Potter* regretted that the debate should be deferred, for the greatest inconvenience was felt in consequence of the inhabitants of the hundreds of Salford and West Derby having to repair to so great a distance for justice. Many injuries were submitted to, in preference to incurring the expense of trying actions at Lancaster; he would only just refer to one instance—the commercial house with which he was connected had brought an action against a party—it was tried at Lancaster, a distance of upwards of fifty miles from Manchester—a verdict was obtained, a new trial was granted, and it was tried a second time, and the costs to both parties actually amounted to upwards of 700*l.*, a very considerable part of which was incurred in consequence of the case being tried at so great a distance from the place where the parties resided.

Motion postponed.

GAME ACT.] Mr. *Lennard* moved for leave to bring in a Bill to repeal the 7th clause of the last Game Act; and to enable all tenants to shoot over the lands in their possession, unless restrained by a special agreement to the contrary with the landlord. The clause, as it at present stood, was the occasion of much injustice and hardship to tenants. He knew of several instances in which it had acted, not only contrary to the intentions of those who introduced the present law, but frequently contrary to the conditions on which the leases were taken. One instance within his knowledge occurred in Hertfordshire, which was attended with peculiar hardship. A gentleman had taken a farm under the express condition that he should have the exclusive right of shooting over it; and, at the time of making the bargain, he mentioned that he would not give the rent for which he bound himself upon any other condition. By the practice of that county, however, there was no clause to that effect in the lease, and the only manner in which it was made to appear that tenants had the right to sport over their lands, was, when there was no clause inserted reserving the right to the landlord—the omission of such a clause being considered as conferring the right upon the tenant. Soon afterwards the Game Act passed, and took from tenants all right to sport, unless they had an express condition to that effect in their leases. The consequence was, that this gentleman was deprived of his right for which he had given a sum of money. That was but one of many similar instances of injustice which he could quote. He would allow that that House was not to be blamed for the insertion of the clause of which he complained. It was introduced in the other House, he believed, with the hope and expectation that the House of Commons would never agree to it. The whole Bill was disagreeable to the great proprietors in the other House, and they had hoped that, by the insertion of such a clause, they might get rid of it altogether. They were, however, disappointed, for the Bill, as it contained much undeniable good, was not rejected on account of one objectional clause. But it was not in justice to the tenant alone that he wished for the repeal of that clause. He was sure it would be found necessary to do justice to the landlord also, as it would do away with all ambiguity, and allow him to retain the right of sporting where he wished; while it would put all cases beyond doubt in which he had the right. The hon. Member concluded by moving for leave to bring in a Bill to the effect above stated.

Sir *Edward Knatchbull* concurred entirely with the hon. Member, and begged leave therefore to second the Motion.

Mr. *Gilbert Heathcote* thought, that if they did not go into the consideration of the whole subject of the Game Laws, it would be better to let the Bill stand as it was. He said, that the Game Act had not been found to have the effect anticipated by the proposer of it. Poaching and the crimes connected with poaching, had increased to a most alarming extent since the passing of that Act. He believed, that the Sale of Beer Act and the new Game Act had together worked prodigious mischief, and had been the causes of that demoralization which was now so much complained of. He thought, that the question should, at all events, be postponed till it could be fully considered.

Mr. *Baring* said, that the tenant ought in justice to be put on the same footing as before the passing of the last Game Act. With respect to the question about the increase of crime, and the cause of demoralization, it was rather difficult to assign the true cause, for both the Game Act and the Sale of Beer Act had been passed in the same Session; and it was impossible as yet to distinguish between their effects. He was himself inclined to think that the blame which was laid on the Sale of Beer Act would not have been so much deserved if the Game Laws had not at the same time been altered.

Mr. *William Brougham* said, that the House would certainly do well to revise the Bill, but ought to retain the principles of it. By the present Bill, to constitute poaching, the offence must be committed in the intermediate period between an hour after sunset, and an hour before sunrise, Now, it was notorious that more game was illegally destroyed in those two identical hours than at any other time. The punishment for poisoning grounds was, in his opinion, too small. That offence was only visited by a fine of 10*l.*, while other offences, not so atrocious, were punishable under the act by transportation. Why should not poisoning lands be punished as a misdemeanor? He knew an instance of dreadful destruction of Game effected in that way:—A boy who had been discharged, revenged himself by poisoning a vast quantity of pheasants. For his own part, he would decidedly say, that he would certainly rather transport any man for seven years who had been guilty of such an atrocious offence as this, than for petty larceny. He considered the former an offence of the greatest enormity.

Mr. *Faithfull* was perfectly astonished at the declaration of the hon. Member. It did not appear to him that there was any more moral guilt in poisoning a pheasant than in shooting a sparrow. The Game Laws appeared to him the most unjust, arbitrary, and tyrannical laws that ever were made; they were a protection to the rich, and an injury to the poor; and they ought to be altogether repealed

Mr. *Aglionby* said, when he heard the hon. Member declare that those laws were enacted to give protection to the rich, and to inflict injury on the poor, he must enter his protest against such an assertion. He would expunge from the Statute-book any law that operated to the injury of the poor, while it conferred advantages on the rich. He begged leave, however, to deny, in the most decided manner, that the Game Laws had any such effect. Those laws were enacted for the purpose of protecting the property of individuals. Game, he supposed, belonged to those by whom it was bred, and the rich man had surely as much right to it as the poor man had to his pigs or fowls. Let each party possess that which was his right. A privilege of this nature was a stimulus to men to endeavour to attain the same advantage by pursuing industrious habits and amassing property. Every man in this country might arrive at that privilege if he duly exercised the ability with which Providence had blessed him. It was not out of the reach of any person.

Leave given, and Bill brought in.

LAW OF LIBEL.] Sir *Francis Vincent* rose to move for leave to bring in a Bill "to alter and amend the law respecting libel." He said, it was his intention, by the proposed measure, to repeal that part of the Six Acts, and of a Bill afterwards brought in by the learned member for Norwich, which compelled individuals printing and publishing newspapers, pamphlets, &c., to enter into certain securities to meet any action that might be brought against them. That this enactment was useless, that it had not the effect of checking the evil, was manifested by the atrocious libels which were published every day. It did not deter men of desperate character and fortune, but it prevented respectable people from running the hazard of becoming publishers. To his next proposition, he feared the learned Gentlemen on the Treasury Bench would not accede—that was, to do away with the practice of *ex officio* informations. That was comparatively a modern practice. It was unknown before the time of Henry 8th, and emanated from the proceedings of the Star-chamber. What was the present state of the law on that point? The Attorney General moved, on affidavit, for a criminal information, and, if it were granted, the defendant was directly held to bail, and if he could not put in bail, he was sent to prison; and the Attorney General might bring on or delay, as he pleased, the proceedings which he had originated. He did not mean to say, that this power was abused. It was not so much against what was generally done, as against what might be done, that he wished to provide. It was true that persons swearing an affidavit or affidavits on such occasions were liable, if they swore falsely, to be prosecuted for perjury; but as they only swore according to the best of their belief that such or such a person was alluded to in the libel, it would be found extremely difficult to convict. He would also, by his Bill, protect proprietors and publishers in every case where they could clearly prove that the libels complained of were published without their knowledge or privity. As the law now stood, persons knowing nothing whatever of the publication of a libel might nevertheless be prosecuted for it. He recollected a case where a servant, who put a letter containing a libel into the post-office, was prosecuted. He would, however, impose on publishers, &c., an obligation to give up the name of the author of any libel. He wished also to extend protection to booksellers who published works containing libellous matter, of which they happened not to be aware; provided such works had not previously been the object of prosecution. He now came to what would constitute the most material alteration in the law. He would, in all cases, allow proof of the allegation to be received as a justification of the defendant. He should also propose, that the defendant's counsel should be heard last. The speech of the prosecutor's counsel, being last addressed to the Jury, was likely to make a very great, and perhaps an undue impression on them. In the event of a verdict being given against the defendant, the Bill would provide, that the verdict and part of the record should be published in any six weekly or daily papers that the prosecutor might select. By adopting that course those who had read the libel in any paper would have an opportunity of seing its refutation. The hon. Baronet concluded by moving for leave to bring in a bill, &c.

The *Attorney General* said, he should be very sorry to throw any impediment in the way of any hon. Member who brought forward a measure for altering the law of libels. He had heard the details of the hon. Member, but he would not offer any comments on them. On the second reading of the Bill, however, he should feel it to be his duty to offer some few observations to the House on the subject of *ex officio* informations. He certainly had heard nothing to convince him that the practice was improper. He should not, however, endeavour to support the practice if it appeared contrary to the opinion and feelings of Parliament. With respect to the proceeding by indictment and action, he should not at present make any observation.

Leave given to bring in the Bill.

Parochial Registration.] Mr. *Wilks* rose to move for the appointment of a "Select Committee to consider the general state of parochial registries, and the registration of births, baptisms, marriages, deaths, and burials, in England and Wales." The subject deserved the serious consideration of the House, and was very important to all persons possessing property, however humble or exalted, and to whatsoever religious denomination they belonged. From that estimate of its importance in which he trusted the House and the country would agree; he had been induced to undertake a task, that admitted of no adornment, and in which he must trust for success to the intrinsic merit of the subject. It was strange, however, and matter of equal surprise and regret, that the registration of births, marriages, and burials, should never have attracted in this country, famed for intelligence and wealth, the attention which its importance demanded. To this subject, other countries had been early attentive. The biographers of Petrarch stated that the baptism of the far-famed Laura was registered in 1314, in the parochial register of Cabrieres, where she was born and which register had commenced in the year 1308. In 1497, a system of parochial registration was introduced into Spain, by Cardinal Ximenes; and many useful regulations were comprised in that system, which, after the lapse of many centuries, had not yet been introduced into this country. His regulations required that, on the registry of every parish, should be inscribed, with the names of the children baptized, the names also of their fathers and mothers, godfathers and godmothers, and the witnesses present, as well as the day, the month, and the year, on which the rite was performed. It was supposed that Secretary Cromwell, whilst travelling through Spain, became acquainted with these registers; and that, at his suggestion, in 1538, two years after the dissolution of the monasteries in 1536, Henry 8th, issued an Injunction, which was the foundation of all parochial registers. It was somewhat curious, that the parish of St. Margaret, in which the House was situated, contained one of the earliest records respecting this system of registration; for, in the churchwarden's accounts for the year 1538, was a charge of 2*d.* for a book for the entry of burials, weddings, and christenings. By the Injunction of Henry 8th, the parsons were to enter, weekly, before the churchwardens, all weddings, christenings, and burials, and then deposit the book in a coffer with two keys; and a penalty of 3*s.* 4*d.*, to be applied towards the reparation of the church, was imposed for neglect. During the short reign of Edward 6th., a similar Injunction was framed; but it directed the penalty to be applied to "the poor men's box." and not to the Church. From the national Synod held by Cardinal Pole, about 1555, in the reign of Philip and Mary, episcopal interference commenced, and Bishops were directed to inquire, on their visitations, whether the registers were regularly kept. In the reign of Elizabeth, a Bill was introduced into that House, on the suggestion of the illustrious Lord Burleigh, after communicating with the Archbishop of Canterbury, for the establishment of diocesan registries. That Bill, however, did not pass, nor did a plan for a general national registry, recorded by Strype, in his annals, succeed. The matter remained, in spite of the urgent wishes of that great statesman, under royal authority, and the ecclesiastical functionaries; and the information concerning the population of the country, which he felt to be desirable, had never been acquired. By a new regulation, in 1597, an improvement was made, now unhappily fallen into desuetude, by which persons were appointed to examine the parochial books, and to fine the clergy and officers for neglect. Little further occurred until the time of the protectorate —that age of great deeds and great men. Then the evils were not only perceived, but corrected—not merely deplored, but removed. It was then resolved to disembarrass the Church of civil duties, and to separate our civil institutions from the Church. By an Act, passed in 1653, every parish was directed to choose a registrar, to be called "the parish registrar," for the registering, not of baptisms, but of births, and not of burials only, but also of deaths. Two or three small parishes might unite in the choice. The person elected was to be approved by a Magistrate, before whom he was to be sworn, and was to continue for three years in office, subject to dismissal for misconduct, and re-eligible if approved. To this officer all former registries were to be delivered, to be kept with the parochial records. Marriages were to be celebrated before Justices of the peace, and after the celebration, he was to enter each marriage in the register, where it was to be countersigned by the Magistrate, and enrolled at the County Court, by the clerk of the peace. From the poor, no fees were to be taken; and moderate charges to other persons appear to have defrayed the total expense. This system seemed to have been extremely judicious and complete; and happy should he be, if in its admirable simplicity and wisdom it could now be restored. It treated marriage as a civil institution—it provided for individual security, and supplied national information—it included all religionists, because all were citizens—it did not make registration depend on a religious ceremony or peculiar ecclesiastical creeds, but treated it as a matter of civil regulations, in which all were interested and all might partake. Neither as to marriages, nor baptisms, nor burials, did it presumptuously interfere to prescribe or to obtrude the sanctities of religion. The pious might well and wisely invite the clergyman or the minister to administer the rite of baptism—to invoke an heavenly benediction on the bridegroom and his bride—and to soothe at the grave the sorrows of burial by holy consolations and fervent prayer. Much as he condemned and deplored the mockery of mere forms, and much as he desired a new modelled system of civil registration, he should yet more deplore that social state in which a spontaneous desire of religious sanctions did not exist. During the short period of its existence, this system proved practically good, and the registries preserved were remarkably accurate and neat. But like many other real improvements, it was swept away on the Restoration, and with the return of Charles 2nd, the registration relapsed to the parochial clergy, with whom it had subsequently remained. From that period no material alteration was made till the reign of William 3rd; when parochial registration was regarded as a source of revenue. By an Act in the 6th and 7th of that reign, duties were granted on marriages, births, and burials, to carry on the war against France. Collectors were appointed to inspect and enforce registries of all persons born as well as baptized, and of all persons buried in common burying-places, as well as in parish church-yards. These registers, under a penalty of 100*l.*, clergymen were even then compelled to keep; and by the 7th and 8th William 3rd, parents were obliged, also, under a penalty, to notify to them, within five days, the birth of a child. These were registries not of baptisms but of births—and the registry was compulsory on parents. Again, in the 23rd George 3rd., a Stamp-duty of 3*d.* was imposed on all registers of burials, marriages, christenings, or births; and by another Act, in 25th George 3rd; the duty was extended to the Dissenters' registries of births, baptisms, or burials, and those registries appear, at least for these fiscal purposes, to have been as completely recognised as the registries of the Established Church. Why, then, should the Dissenters subsequently have been deprived of that just equality which lawyers and the Legislature, when taxes were to be imposed and revenues extorted, were prompt to allow, but which ceased when, in 1794 the tax was repealed? The Act of 52nd George 3rd, commonly called Sir George Rose's Act, passed in 1812, and probably originated with the commissioners appointed to examine the state of the public records, was intended to effect great and important improvements in the parochial registration, and to enforce a general system of registration of births and of deaths. This was the Act under which all parish registers were still kept, and certainly added to the innumerable proofs of the wretched state of our legislation; statutes being indefinitely multiplied without unity of purpose or accuracy of effect. The momentous nature of the object might, one should have thought, ensured some care in devising a mode for its attainment. The proof of primogeniture, and evidences of pedigree with the enjoyment or the acquisition of vast portions of the property of the country must depend on a complete and correct register of births, marriages, and deaths. Yet the imperfections of the present system were obvious, and its practical inadequacy almost incredibly great. The Act was called "An Act for better regulating and preserving parish and other registers of births, baptisms, marriages, and burials in England." Mark, "other registers," and registers of births! But this Bill had no provision as to other than parochial registers, nor as to a registry of births. In fact, when it passed that House it corresponded with the title. It contained wise regulations as to dissenting registries, and in the schedule there was a column for an inscription of births. But in the other House these regulations and the column were erased, and the title remained to excite expectations, which the Act did not realise. Among the objects of that Act was the establishment of duplicate copies and diocesan registers of all the parish books; and as fires in churches and parsonage houses, had consumed, in a short hour, the records of ages, and so destroyed the evidences on which titles, and rank, and fortune might be claimed, duplicates placed in secure depositories, were obviously to be desired. It was provided that copies of all the registers should be annually made, and verified by the minister, whose declaration should be attested by the churchwardens; that these should be sent, indorsed in a form prescribed, to the registrar of each diocese; that he should yearly make a report to the Bishop, especially noticing all parishes in default; that the copies sent should be carefully arranged, and be deposited in a place secure from damage and destruction by fire; that alphabetical lists should be made, in suitable books, of all names so transmitted, and that before March, 1813, each Bishop, with the *custodes rotulorum*, and the chancellor of each diocese, should report to the Privy Council as to the places where the documents were deposited, as to their security from fire; and as to a suitable mode of remunerating the officers for additional trouble and expense. Such were the enactments of the Bill. What would the House suppose were its results? To acquire information, he had obtained, by the order of the House, a return from the several dioceses of that result. From the statements then of the public officers, and not from vague conjecture or prejudiced representation that result might be known. And would the House believe that no report to the Privy Council had ever been made by the high ecclesiastical and civil functionaries, who were somewhat anxious for patronage and power, but negligent of the positive duties to perform which they continually demand patronage and power. In several dioceses eminent for population, and property, such as, London, Bristol, and Chester, at least one-fourth part of the parishes, had made no annual returns. Parishes containing 50,000 inhabitants, had made no returns since the passing of the Act; and other parishes yet more populous had made no returns for the last ten years. Returns, when made, as in the other dioceses where the defaults were less flagrant, were incorrect, and not in compliance with the Act on which their validity depended. Notwithstanding all these defects the reports as to default were very few. No one alphabetical list of the names in the registers had ever been made, and even, where parishes had incurred the trouble and expense of transcribing the registers, and forwarding them, the postage induced a refusal to receive them, or some error in their direction led to their return to the Post-office. In fact, many hundreds had accumulated at the Post-office, to the inconvenience of that establishment, and they were all positively burnt; a bonfire was actually made of documents that had cost a great deal of labour, and on which the happiness of many families might depend. In very few dioceses were the copies deposited in places which even the registrars considered as secure from fire; in several they were in private houses, and in hazardous situations; and the intelligent and very effective and indefatigable registrar for the diocese of London was compelled to state, with regret, that he had no other depository for his numerous, though imperfect and irregular documents, except a room on the first-floor of his own offices, of which the upper story was let out, and which was liable to all the casualties of ordinary dwellings. In making these remarks, he disavowed any intention of imputing misconduct to the diocesan registrars, and any wish to place on them the blame of the complete failure. The Act provided no remuneration for the burthensome but proper duty it enjoined, and the heads of the Church had hitherto omitted the report to the Privy Council, by which the omission would have been known and repaired. It was not of individuals, but of the system, he complained, and the House and the country must agree with him. There was not a guardian or a parent who would not say, that such irregularities and imperfections ought not to be tolerated. But if these evils were surmounted, the general body of parish registers throughout England and Wales were in a bad condition. He should too long occupy the House, did he notice the complaints which topographers, antiquarians, heralds, and all persons led by interest or by taste to examine the registers had united to make. Entries of baptisms celebrated years before the clergyman, making the entry, was incumbent of the Church, had been made. He would not dwell on their removal—their insecurity—their use as testers for beds, or thread papers—of the interpolations, intentional erasures, and fraudulent destruction; he would not recount the ludicrous entries and misnomers of which he had heard—he would only state that, even if the Act of 1812 had been perfectly obeyed, and if the parish registers were uniform and inviolate, secure and uncorrupt, yet revision was indispensable, and improvement required. After all, it would only be a registry of baptisms, and not a registry of births, and the latter was demanded. The House probably knew that the clergyman was not authorized to make any notation in the registry, of the age of the person baptized; and such an entry was perfectly gratuitous and of no avail in law. In several cases, the Courts of Law had decided, that a baptismal registry could not be given in evidence of the age or legitimacy of a child; as the statement was only an unauthorized declaration, which might, indeed, be true, but might, also, be intentionally false. In an important case of Wiper *v.* Law, Mr. Justice Bayley ruled that the entry of a date of birth, opposite to the date of baptism, in the parish register, could not be received as evidence; and the Court of King's Bench confirmed that opinion by a unanimous judgment. Such was the law, even, where entries of age and of birth had been made by the clergyman who celebrated the baptism; but ordinarily, no such entry was made; and how, then, could the date of the baptism prove the age of the recipient of that rite? He would mention one case to illustrate the inefficiency of such proof. A man, attending to be married, was asked by the clergyman, who was somewhat tenacious for the rights of the Church, whether he had been baptized? He answered, that he was then unbaptized, though about twenty-three years of age. The clergyman refused to perform the marriage ceremony until the baptismal rite was previously performed. Vain were all solicitations; the conscientious and inexorable priest refused to listen, and the bridegroom was compelled to submit; and in the same book, therefore, the baptism and marriage appeared as celebrated on the same day; and how could the baptismal register supply an evidence of age? Often, too, it happened that two or three children of the same family were contemporaneously baptized; and he had before him a document in which three children were so baptized, and the name of the youngest was first entered in the baptismal registry, while the eldest daughter was entered last, though the youngest was an infant, and she was ten years old. In consequence of such errors, if the baptismal registry were an evidence of age, the youngest child might claim a fortune of which the eldest might be hopelessly deprived. The House must be sensible that the system of registering baptisms must be imperfect; and that there ought to be a national registry of births. As to the marriage registry, it was perfect and comprehensive compared to the registry of baptisms, though its forms might be greatly improved to assist researches for pedigree; and though that very comprehension was deemed, as the House well knew, by vast masses of the community, to be founded on religious intolerance, under which they had long groaned, and from which they desired a relief which the establishment of a national and civil registry would greatly assist. By Catholics and Dissenters a compulsory conformity to the sacrament of a church with which they disagreed, could not but be regarded as offensive and unjust; and every conscientious clergyman would, he thought, be gladly relieved from what he must piously consider mockeries of a sacred rite. As to the burial registry, the observations he had made upon the baptismal registries would nearly apply to it. For the security of property, and for statistical information, a general registry of deaths was required, and not that imperfect registry of burials at present obtained. Even as a registry of burials, it was imperfect; since churchmen were interred in Dissenting burial grounds, or at the cemeteries which, in imitation of the mournfully beauteous resting-place of Père Le Chaise, at Paris, were about to be formed in the vicinity of the metropolis, and already existed near all our large and populous towns. As to burial registries, then, might he not repeat his former inquiry, and ask the House, whether a new and improved system were not required? He had not pressed on the attention of the House one consideration of great weight. He had assumed that all the people of England and Wales were members of the Established Church, and had only stated the objections which the members of that Church who regarded their fortune, and loved their children and their country, were entitled to urge. But how much force was added to the argument, when the House recollected the vast portion of the people who were Dissenters from that Church, and to whom baptismal and burial registries could not apply. Could the House be unaware, that it had been lately and authoritatively said, that two-thirds of the whole population of the principality of Wales were Dissenters? There were, he believed, no less than 8,260 Dissenting and Methodist chapels and meeting-houses in England and Wales; the number of them was increasing monthly, and he had no doubt that the whole body of Dissenters were not less than 4,000,000 of the people, and amounted to nearly one-third of the whole population of Britain. That body included men not inferior in wealth or influence, in ingenuity, or learning, or industry, or worth, to the best and most favoured of the population. Of them, also, a considerable portion including many hundred congregations, disapproved of infant baptism, and must be specially precluded from all registries except registries of births. For that great portion of the people, no provision, by the existing laws, supplied the means of effective and legal registration, which their security—and the general welfare, inseparably involved in their security—imperiously demanded. They kept, as was well known, congregational registries of baptisms and burials, and also a registry of births; but these registries were not public records, and extracts from them could not be received in evidence. A former Master of the Rolls, as well as Sir John Nicholl, had refused to receive the copy of a dissenting registry as evidence; and had decided that an examined copy from a registry of births, at a great public dissenting institution, called Dr. Williams's Library, could not be evidence. Dissenting registers, therefore, were comparatively proscribed; and practical evils, greater than those which the Test and Corporation Acts really inflicted, were yet quietly endured. Was this of importance only to themselves? Who, though now a rigid member of the Established Church, could foretel or foresee how his own family or fortune—how the sale or purchase of estates by himself or his posterity—might be involved in these defects of Dissenters' registrations, and in the failure of those proofs of pedigree which such defects might create? The community was one vast family, and no real evils could affect a large part of the population, without spreading some portion of such evils over those who seemed to be most distant or secure. It was from this general view that he had devoted some attention to the subject; and it was not only as a lawyer or a Dissenter, but as a legislator and a patriot, that he had felt shame, vexation, and regret. Inquiry had convinced him that on this, as on some other subjects, England was behind the age—that her legislation was defective—that they contented themselves with botching up some grievous rent, but did not wisely, extensively, and deliberately survey, and comprehensively, but discreetly, modify and improve our institutions. When they compared the wretched system of registration established in England with those of foreign countries, how inferior did it appear? In France, registration was a civil affair. All births, marriages, and deaths were registered before the *Maire* of every different commune. By the *Code Civil,* all the forms were prescribed, and accuracy was secured by regulations, particular and minute. Duplicates were prepared and closed at the end of each year, with formalities that prevented interpolations. Alphabetical indexes were made in a tabular form. One copy was yearly sent to the legal court of the district, and placed under the care of the *Procureur du Roi:* and, decennially, another complete alphabetical index for the whole district was made. The results supplied accurate information to the government, and gave to families and property an adequate security. Nor should it be forgotten, while we treated these matters as unimportant, because they answered no party purpose, and could not be made the subjects of political debate, that Napoleon deemed this subject worthy of regard, amid all the magnitude of his engagements and all the splendour of his victories—and presided and advised at the Council of State, at which all these minute arrangements were considered and dictated;—and rightly did he judge. As a lawgiver he acquired laurels that no defeats could blight—no reverses injure—and that no lapse of ages would destroy. In Holland and Flanders there was a similar system of registration to that existing in France, and within three days after the birth of a child, it was produced by the parent at the local office, and the *acte de naissance* was inscribed. A general system of civil registration existed, even in Italy, where, since the Restoration, the registries—to the regret of the people—were again kept by the priests; who were bound to send attested copies of the registries to the civil authorities at least every three months. In Austria, too, a system prevailed which did credit to the liberality of the Catholic priesthood of that great country, and which no Protestant priesthood should be loth to imitate. Although the Catholic clergy kept the general registry, yet they received from the Protestant ministers certificates of marriages, births, and deaths, and entered them in the national register for universal security and use. He repeated, then, though with more of grief than exultation, that we were behind the age; and that foreigners might regard our municipal arrangements with wonder and contempt. Unhappily it was proved that in no other country did there exist so confused a system of registration — in no other country was property so endangered — in no other country were the rights of children so compromised—and in no other country were municipal rules, so practically intolerant, allowed to remain. But these defects were no new discovery. They had been indicated and deplored by eminent lawyers. Lord Wynford recently stated that on a correct registration depended all the rights of property. Lord Eldon repeatedly declared that our registers and documents were shamefully and injuriously impaired and incorrect—and the Commissioners for inquiring into the Law of Real Property had stated in their first Report that nothing could be more inconvenient than the present system, and they had suggested the substitution of a civil registration of births, marriages, and deaths, which should embrace all classes of the community. Sanctioned by such authorities, on a subject universally interesting, though generally overlooked, he trusted that it would not be thought that he had misapplied the time of the House. From the importance of the subject, and the intricacy of the details, he did not feel justified in submitting any measure to the House; but he thought it more decorous and discreet to refer the whole topic to the consideration of a Select Committee, which he hoped the House would appoint. He would not enter into the details of any plan, and would only state his idea, that a system of civil registration, somewhat similar to that organized during the Protectorate, might advantageously be adopted. The plan, whoever be the registrar, must embrace a registry of all births, marriages, and deaths; and if the established clergy should prefer (as in the reign of William 3rd.) to conduct that registry, he should rejoice at it. But whoever might be its conductors, it must be not sectarian, but national, civil, and not ecclesiastical; and must be independent of baptismal ordinances, or matrimonial church services, and burial rites;—though he trusted that at all those memorable epochs of our short life, the blessing of the Deity would always be invoked, and the benefits of pure piety be universally appreciated and enjoyed. If, by the labours of a Committee and the sanction of this House, the evils he had adverted to could be swept away, and a new, and national, and civil registry be constructed, a most salutary reform would be accomplished, which every enlightened man would approve of, and future generations applaud. The hon. Member concluded by moving "for the appointment of a Select Committee, to consider and report on the general state of parochial registries, and the laws relating to them; and on a general registration of births, baptisms, marriages, deaths, and burials, in England and Wales."

The *Attorney General* said, he heartily concurred in the object proposed by his learned friend. He had been made aware, by his professional pursuits, of its very great importance. As a question of evidence concerning property, it was one of as great difficulty, as it was of importance. He spoke from long practical experience, and he was sure that no subject better deserved the consideration of the House and the public, than the one introduced to their notice by his hon. friend. He would not enter into any details, but would reserve to himself the right of discussing them hereafter, assuring his hon. friend that any difference of opinion should be discussed, on his part, in a spirit desirous only of coming at the truth on a subject of such importance.

The *Solicitor General*, as a member of that Commission to Inquire into the Laws of Real Property, the Report of which the hon. Gentleman had referred to, was well aware of the defective state of our registration. It was more easy to trace a pedigree 500 years ago than five years. When there was a necessity for a man to go back to his great grandfather, it was found to be extremely difficult. Moreover, the present system gave rise to many forgeries. Owing to the state of the law, any scrap of paper preserved in a family became evidence, and gave rise, when there was a necessity for them, to many frauds. He knew of several instances of entries into baptismal registers which had been forged for the purpose of proving pedigrees. The entries were made in Bibles, to which the artificial appearance of venerable age was successfully imparted. Indeed there was a regular manufactory of Bibles for that purpose. He rejoiced that this subject had been taken up by his hon. friend, and he begged to express his cordial wishes for the success of the Motion.

Mr. *Charles J. Kemyss Tynte* said, that having the honour to represent a county in which were a very large body of Dissenters, he felt rejoiced in an opportunity of congratulating the Dissenters and the people of England upon the liberal manner in which his hon. friend's Motion had been met by his Majesty's Ministers. The Dissenters had long patiently endured their grievances, and now he was glad to find that the justice they had anticipated from a Reformed Parliament was about to be realized. He felt himself bound to say, that he believed that no class of persons in the country more deserved, or would prove themselves more worthy of the boon that he felt assured would now be granted them, than the Dissenters.

Motion agreed to, and a Committee appointed.

HOUSE OF LORDS,

Friday, March 29, 1833.

Miutes.] Papers ordered. On the Motion of the Earl of Harrowby, a Return of the Benefices, which from being small, might in the Opinion of the Bishops be united to some contiguous Benefices.—On the Motion of Earl Fitzwilliam, Returns relating to the Importation of Wheat under the 9th George 4th, cap. 60.

Petitions presented. By Lords Western and Lynedoch, from a Number of Places,—against Slavery.—By Lord Dacre, from Veryan, against Tithes.—By Lords Suffield and Western, and the Bishops of London, St. Asaph, and Durham, from several Places,—for a Better Observance of the Sabbath.—By the Earl of Roden, from Carrickfergus and two other Places, and by the Earl of Wicklow, from Wicklow,—against the Irish Church Bill.—By the Earl of Morley, from Devonport, in favour of the Factories Regulation Bill.

Church Patronage (Wales.)] The Marquess of *Westminster* rose to present a Petition which he considered of great importance, and deserving their Lordships' serious attention, though he wished to guard himself against being supposed to concur in all the statements contained in the Petition. The petitioners, all of whom were Welchmen, or intimately connected with Wales, resident in Chester and its vicinity, complained of certain abuses in the administration of the affairs of the Church in that portion of the kingdom. They stated that considerable inconvenience was felt in consequence of the bishops appointed to sees within the principality, as well as a portion of the inferior clergy, being ignorant of the Welch language. The consequence was, that the service was performed in a language the people did not understand, contrary to the 24th article of the Church of England. The petitioners stated that a large proportion of the inhabitants of Wales were dissenters; and they attributed the great extent of dissent which prevailed there to the fact he had just adverted to—the state of ignorance in which many of the clergy stood with respect to the language of the people whom they were appointed to superintend and instruct. He most sincerely wished that but one language was spoken and understood throughout the whole united kingdom; but when different dialects existed, he thought it but right that ministers of religion should be able to speak the language of the people among whom they resided. The petitioners also complained of non-residence on the part of the clergy, and the number of pluralities existing in Wales, and they stated that some very large and populous districts were left without incumbents. They likewise objected to the very small stipends which were allowed to the curates: it being a fact, that of ten curacies in a particular district, in six of them the income was not more than *35l.* a-year. The petitioners prayed that all these abuses might be corrected, and particularly that no clergyman should be appointed to any benefice in Wales who was not perfectly conversant with the Welch language.

The Bishop of *Bangor* was glad that this petition had been placed in the hands of the noble Marquess, because it would afford him an opportunity of contradicting the allegations contained in it. A similar petition had been presented a short time since in the other House of Parliament by a noble Lord, the member for Chester, and, on presenting it, that noble Lord made comments and remarks which he should wish to answer, as they had been made public by being reported in the newspapers. The statements which the petition had put forth contained a mass of calumnies and misrepresentations charged upon the Church of Wales, which were most unjust as well as most mischievous and injurious to the interest of the Establishment. The great tithes of North Wales were said to be given to the bishops, deans, and chapters of the sees of Bangor and St. Asaph—that the livings of those dioceses were not given to men connected with Wales, but to rich and absent pluralists—that the little tithes (he presumed they meant the great tithes) were given to the friends of the Bishops—to men not known in the dioceses. A book, too, had been published on that subject, containing that and other allegations of a similar sort—allegations that were quite contrary to the fact, as far as the patronage of the Bishops and the conduct of the Clergy were concerned. It was alleged that the men appointed to the incumbencies in Wales did not know the Welch language. Now, the fact was, that there was not a single clergyman who held a benefice and cure of souls in the bishopric of Bangor, who was not perfectly acquainted with that language. There were three clergymen, natives of England, who held benefices in his see; but one of them who also held a benefice in Lichfield, did not reside. The two others were most respectable men, and indefatigable in the discharge of their duties. Before he had inducted any of them, he had required a certificate that they were sufficiently acquainted with the Welch language to take the charge of the cure. In some of the parishes of that diocese there was a large proportion of an English population, and they required the service to be performed in English. In Bangor cathedral there were two services of the Church of England, performed in the English language, and there were, in like manner, in these churches, in which the large population were Welchmen, two services performed in the Welch language. There were other charges made against the Bishops and the lay-proprietors of that diocese as to the appropriation of the benefices, which were equally unfounded. Out of sixty-five livings in his diocese, fifty-five were in the gift of the bishop, six in the gift of the Crown, and four belonged to private patrons. Of the livings in the gift of the Lord Chancellor, three of them had been filled up by the noble and learned Lord who at present occupied the Woolsack, and he had given them to most respectable Welchmen, and he should only say for himself, that if persons had been sent who did not understand the Welch language, that they would not have been admitted by him to their cures. One part of the charge contained in the petition and in the book he had referred to was, that the Bishops were themselves ignorant of the Welch language. He admitted that charge was true, as it regarded himself, but he was prepared to assert that no inconvenience resulted from that circumstance. He had held two Confirmations, and he hoped he should hold a third in the course of the present year. At every Confirmation he was accustomed to have the people divided into two classes. He himself delivered his charge to that class of candidates who understood English, and he took care that his charge should be read to those who did not understand English, by his chaplain, who understood Welch perfectly. In the same manner, at the time of the imposition of hands, his chaplain translated into Welch the blessing to those who did not understand English. The noble Marquess thought the Bishops should understand Welch; he should only say for himself, that if he were to preach in that language he should not be understood; for Bangor contained chiefly an English population. Then it was charged that some of the Welch clergy were not working clergy. They were all constantly working clergy, except the master of the Grammar School at Bangor, and a very few, who were too old to pursue their labours unremittingly. Further it was alleged that the Welch clergy were not educated. He denied it. It was a condition of their admission that they should have been educated at one of the English Universities. As to the charge that benefices were improperly distributed, he asserted, without fear of contradiction, that there was no diocese in the kingdom in which there was so large a proportion of curates who were made incumbents as in that over which he presided. It was also asserted that there were large parishes in North Wales, the livings of which were given to benefit some large sees. There were two instances of that kind, but neither of them was justly chargeable upon the Bishops. The first had been at the time of the Reformation attached to the bishopric of Chester, and the other to the bishopric of Litchfield. The petition then said, that it was an anomalous and unjustifiable thing that the revenues of the Welch bishoprics should be taken away from Wales to be spent in other parts of the kingdom. He could not but be astonished at this charge, for he thought it could not be matter of just complaint that these revenues were spent in any portion of the kingdom, of which Wales formed an integral part. These revenues were, besides, very small—they were scarcely large enough for the moderate support of one who, like himself, was unencumbered and unentangled by a family. He had nothing to say against the petitioners, who, he had no doubt, were respectable men in their way, but who had, he believed, been misled by others.

The Bishop of *St. Asaph* said, that he felt considerable pain in addressing their Lordships on this subject, but it was his duty to do so after the statements that had been made in this petition, which he had no hesitation in saying were perfectly false. Many of them were taken from a book published by a gentleman in Chester, which book was full of the grossest falsehoods. He repeated, full of the grossest falsehoods; he would not retract a word of what he had uttered. He held in his hand two sheets closely written, which contained nothing but a refutation of the statements of that book, which refutation had been sent to him by a clergyman from Wales. Their Lordships would not require that he should do more than give them a specimen or two of the errors that were refuted. It was said for example in the book, that Christ Church Oxford derived an income from the county of Montgomery of 4,500*l.* a-year, while the fact was, that the amount of that income was only 500*l.* a-year; derived from fines; and the whole value of the tithes in the district was only 2,000*l.* a-year. It was also said, among the statements contained in that book, that the archdeacon of Merioneth received 250*l.* a-year from the tithes of Llandudno, and that he only paid his curate 20*l.* a year. The fact was, that the archdeacon had a reserved rent of 20*l.* a year from that place, and all that he had received in a course of twenty years was a sum of 400*l.* He believed that the author of that book was the mover of this petition; and he should here take the opportunity of observing, that another petition had been got up from a place not 100 miles from Chester, which being word for word the same as this, left no doubt that the same gentleman was the author of both. As to the charge that the revenues of the bishoprics in North Wales was spent away from that place, he must say, that he wondered the noble Marquess did not see how far that charge might be carried, and was not alarmed lest the time should come when the people would want private property as much as they now wanted Bishops' property, which was equally as sacred, as private property, and when they might require some of that possessed by the noble Lord. They would get more advantage from that than from the Bishops' property; at least, he could assure their Lordships, for himself, that he was a poorer man than when he came upon the bench. When he held the see of Exeter he could not live upon his ecclesiastical income; and had he not been able at a former period of his life, when Head Master of Westminster School, to lay by some money, he should have been reduced to beggary. He had not been able to keep a saddle-horse out of his episcopal revenue, diminished as it was by numerous charges; and when he removed to the see of St. Asaph, the income of which was a little larger, he had to pay about 700*l.* in fees, and to lay out a good deal of money in repairs and in other matters; and if he lived to a great age in the possession of this see, he should not be able to replace the money he had expended. Whether that was too great an advantage for a clergyman, after a life of labour, he would leave it to any man to determine. As to the charge that had been made about the ignorance of the Welch language by the incumbents of Welch parishes, he answered, that in a great part of his diocese English only was spoken; but where that was not the case, the incumbents were all men who understood Welch. He denied the truth of the charge about favour in the disposition of benefices. He had not given one atom of preferment to any relative of his. He had had the gift of twelve livings since he held this see. Ten of them he had given to curates who had served them before, and who were all most deserving men. Of the other two, he gave one to a Welch curate, and the other to a Welchman who had lived in London, and been at St. George's Hospital for seventeen years, but who wished to return to Wales. To show how worthy this man was, he would relate one anecdote of him. That man was once going across St. Pancras' Fields, when he was stopped by three or four men, who demanded his money. One of the robbers in a moment sent away the others, and said he would protect the clergyman, adding; "I never shall forget your kindness when I was a patient in St. George's Hospital." He acknowledged his own ignorance of the Welch language, but his chaplain was an excellent Welch scholar, and he employed his chaplain in the same manner as did his right reverend friend in translating his charges to those who did not understand English. The use of that language was, however, now general in Wales. The service in the cathedral of St. Asaph was attended by great numbers of persons who went to the watering places in the neighbourhood, and for whose accommodation the choir was now to be enlarged. On the whole he thought that there were no grounds of complaint made out; and he trusted that the noble Marquess who had presented the petition would now change the opinion which had induced him to give it his support.

Lord *King* thought he understood the right reverend Prelate who spoke first, to refer to a petition which had been presented on this subject to the House of Commons. Here was a copy of that petition.—[His Lordship handed it to the right reverend Prelate].—It was an extraordinary thing that the right reverend Prelate should direct all his observations to what had passed in the House of Commons, instead of directing them to that petition which had been presented to-night, and which was identical with the other in its statements. A different course was ordinarily adopted, and was most convenient. The real question was, not what had passed in another place, but whether the grievances stated in that petition were correctly stated. He thought they were. He believed that there were many absentee pluralists. Of course these pluralists must reside somewhere, and as they had three or four livings it was natural they should reside in one of them, and, therefore, were not entirely non-residents. Was it not true that there was a great concentration of the good things of the world among the clergy? There were, if he mistook not, eight livings annexed to the See of Bangor. Then it was denied that these livings were given to the relatives of the Prelates. Why the book that had been so much referred to did not pretend to state that they were given to the relatives of the present Prelates. No, that was impossible, for they had already been disposed of by their predecessors; but that fact did not alter the nature of the objection. He believed that the relative of one Prelate had seven preferments. One holy person wished to be a six-fold curer of men—here the wish was surpassed—he~~re was~~ a seven fold curer. The names of Beevor and Horsley were constantly occurring. The writer of a book alluded to by the right reverend Prelates had been most unceremoniously attacked by them. He could assure them that the person referred to was a most respectable person. The book itself was not written in a spirit of hostility to the Church—it was written against the abuses of the Church, and against them alone. It was in consequence of those abuses that the number of Dissenters had increased so much. The proportion between them now, he understood to be, forty-nine churches and chapels of the establishment to 150 dissenting meeting houses in one county alone in Wales. One of the right reverend Prelates had spoken of the people wanting to get the property of the Bishops, and had warned the noble Marquess that some day or other they would want his property. But was there no difference between the property of individuals and the property of the Church? The common sense of mankind would tell the right reverend Prelate that there was, and would revolt against such a comparison. There had been one reformation in the Church; he trusted that the second, which could not now be far off, would be founded on the true principle—that it was not for the benefit of the high clergy that the national property was set apart, but for the benefit of the whole Church, the people at large—that it was not for the advantage of pluralists, but was meant to be equally proportioned among the real working clergy of the country. The incomes of the clergy were differently stated by the author of the book, and by the right reverend Prelate. The difference between what the parishes paid, and what the clergyman received, might account for this. He thought that great causes of complaint had been made out—that a case of favouritism was established, and he did not think that either of them was answered by the hard words in the speeches of the right reverend Prelates directed against the author of the book referred to, and words not very courteous towards a Member of the other House of Parliament.

The Bishop of *St. Asaph* again denied the correctness of the statements contained in the book in question; to which he believed the noble Lord was indebted for all the statements he had made. He must take that opportunity of asking whether the Bishops could make a worse use of their patronage than any lay patron was likely to do who said, on occasion of having to present to a vacant benefice, that he would look out for a man the least of a clergyman? He denied that there was such a concentration of property among the Bishops as there was in the hands of some noble Lords.

Lord *King* said, that the right reverend Prelate, in the observation just made about the expressions of a lay patron, no doubt alluded to him. The anecdote was but a stale report, and a direct falsehood. He had never uttered any such words as were attributed to him in that anecdote; and as to the person on whom the benefice was conferred, he was as respectable and worthy a man as any one whom the right reverend Prelate had ever presented.

The Bishop of *St. Asaph* was happy to have given the noble Lord an opportunity of contradicting a report which he certainly had heard in relation to the noble Lord.

The Marquess of *Westminster* observed upon the irregularity of which the noble Prelates had been guilty, in remarking upon what had passed, or was said to have passed, in another place. He was now more satisfied than he had been at first, that reformation was necessary in the Church. The right reverend Prelates, in answer to the observations in the petition about the people not understanding the language in which they were addressed, said that the charges were translated to them. But a translation did not get rid of the objection. The Articles of the Church were framed to avoid such a thing. Many noble Lords opposite might understand the Bishops if they were to preach in Latin; but would it satisfy the Articles, if they were to preach to the people in Latin, and have their sermons translated.

The Bishop of *St. Asaph* said, with reference to the charge of non-residence, that in his diocese there were 128 livings, and ninety-three resident incumbents, leaving only thirty-five non-residents. Of these eleven resided in parishes adjoining their incumbencies, and did duty in their own parishes, and twenty-one of them had resident curates; so that there was not one parish without a resident clergyman, incumbent, or curate.

Petition laid on the Table.

HOUSE OF COMMONS,

Friday, March 29, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. SPRING RICE, the Amount Advertized by the Commissioners of the Sinking Fund to be applied for the discharge of Debt in each Quarter since October, 1831, and of the actual surplus or deficiency of the Revenue for the year, and the Amount really applied in each Quarter to the discharge of the Public Debt.—On the Motion of Mr. G. EVANS, a Return of the present Rates of Renewal Fines on Bishops Leases in the several Dioceses in the Kingdom of Ireland; stating the

Number of Leases which have expired in each Diocese from the 1st of January, 1800, to the 1st of January, 1833.

Bill. Read a second time:—The Mutiny.

Petitions presented. By Admiral Adam, Mr. Ponsonby, Mr. Ricardo, Mr. Wynn, Lord Milton, and Lord Ormelie; the Lord Advocate, Sir Ronald Ferguson, Mr. Dawson, Mr. Foley, and Mr. Guest, from a great Number of Places,—against Slavery.—By Admiral Adam, from Leuchars; by Colonel Leith Hay, Mr. Bannerman, and Lord Ormelie, from a Number of Places in Scotland,—against the Existing System of Church Patronage in that Country.—By Mr. Dawson, from Loughborough, for a Reduction of Taxation, and for the Repeal of the Corn Laws.—By Mr. Barnard, from Deptford; Mr. Sheriff Humphery, from St. Saviour's, Southwark; Mr. Bannerman, from Aberdeen; the Lord Advocate, from Edinburgh; and by Mr. Buller, from Sidmouth,—for a Repeal of the Assessed Taxes.—By Mr. Hodges, from Chatham; Mr. Bannerman, from Aberdeen; and by Colonel Leith Hay, from Banff,—against the Duty on Soap.—By Lord George Lennox, by Lord Ormelie, by Mr. Bannerman, and Mr. Barnard,—in favour of a Factories Regulation Bill.—By Mr. Ponsonby, from Swanage, praying for Relief for the Dissenters from their present Grievances.—By Sir Andrew Agnew, Lord Ormelie, Mr. Sheriff Humphery, the Lord Advocate, Mr. Guest, Mr. Bannerman, Mr. R. Watson, Mr. Ricardo, Mr. Butler, and Colonel Langton, from a great Number of Places,—for a Better Observance of the Sabbath.—By Mr. Perrin, Mr. J. H. Talbot, Mr. C. A. Walker, and Mr. M'Laughlin, from several Places,—against Tithes.—By Mr. Perrin, Mr. Hutt, Mr. Guest, Mr. C. A. Walker, Mr. Gillon, and Mr. Cobbett, from a great Number of Places,—against the Disturbances (Ireland) Bill.—By Mr. J. H. Talbot, from New Ross, for granting the Inhabitants the privilege of Electing their own Magistrates and Local Authorities.—By Mr. O'Dwyer, and Mr. J. H. Talbot, from several Places, for a Repeal of the Union.—By Mr. William Roche, from New Ross, for a Clause in the Bill enabling Grand Juries to borrow Money for Public Works.—By Mr. Guest, from Honiton, against the Exactions of the Corporation of that Town.—By Mr. C. A. Walker, from Rosegarland and Inch, for Vote by Ballot.—By Mr. O'Dwyer, from Drogheda, for a Repeal of the Game Act.—By Mr. Guest, and Mr. Buller, from several Places,—against the Sale of Beer Act.—By Mr. Gillon, from three Places, complaining of Distress among the Hand-loom Weavers.—By the Lord Advocate, from the Company of Merchants, Edinburgh, for a Reform in the Municipal Government and Local Taxation of that City.—By Mr. Sheriff Humphery, from St. Saviour's, Southwark, to be Exempted from the Metropolitan Police Act.—By Sir Ronald Ferguson, from the Frame-work Knitters of Lambley, Carlton, and other Places, for Relief from Taxation.—By Lord George Lennox, from the Horsham Political Union, against Taxation.

Observance of the Sabbath.] Mr. *Beaumont* on some Petitions having been presented for the better observance of the Sabbath said, he had been intrusted with several petitions on the same subject which he had not yet had an opportunity of presenting to the House, and he wished to take this opportunity of informing his constituents that he had not been neglectful of his duty, though he differed from them as to the propriety of passing any Bill for such an object. He would not charge his hon. friend who had brought in a Bill for this purpose with being actuated by any feeling other than a view to the general good, but he was of opinion that cant, humbug, and hypocrisy were the characteristics of many of the petitions which had been presented on the subject. If ever the Bill should proceed so far as to get into Committee, he should certainly move as an amendment that it be entitled "a Bill to promote Cant."

Mr. *Hume* wished the hon. Baronet had brought in a Bill to repeal all former laws for the regulation of the Sabbath, and had formed an entirely new measure. He (Mr. Hume) was of opinion that no legislation would compel the people to become pious. He was as anxious as any man that the Sabbath should be observed in this country with that due respect and attention which was observed in Scotland, but he must say he thought the measure which was now before the House would not effect that object.

Sir *Andrew Agnew* observed, that there seemed to be a misconception in the House as to the nature of the measure which he had brought forward, and he therefore would beg to state that the principle of the Bill was to recognize a cessation from all labour on the Sabbath Day. It was open to every hon. Member to except to the provisions of the Bill, and also to make suggestions; and without now supporting its details, he would merely add, that between the present time and the second reading of the Bill, he should with pleasure receive the suggestions of any hon. Member on the subject.

Mr. *Cutlar Fergusson* said, that as he had presented several petitions on this subject, he could not allow to pass unnoticed the observations which had fallen from the hon. member for Northumberland (Mr. Beaumont). It was impossible for any man not to condemn the use of such language, either as applied to a proposed measure or to the petitions which were presented in support of it. He could assure the House that the deepest interest on this subject prevailed in Scotland, and that the great majority of the people in that part of the kingdom were sincere in their desire that some legislative measure should pass for the better observance of the Lord's Day. He should reserve his opinion on the measure proposed until the discussion on it properly came before the House, and would content himself now with protesting against the application of the epithets which had been used to any petitions or petitioners.

Sir *Alexander Hope* dissented entirely from the statement of the hon. member for Northumberland, which taxed the petitioners for a strict observance of the Sabbath with cant and hypocrisy. It was not for him to quarrel with the opinion of any man on that or any other subject, but when the religion of the country, or perhaps he should more properly say, when the religion of the petitioners was called in question, he must protest against the application of such epithets as had been applied on an occasion of such deep interest. He thought the petitioners were right in sending these petitions forward, and that the hon. Members who gave them their support were only doing their duty to themselves and the country in aiding the completion of the wishes of the petitioners. He should abstain from giving any opinion upon the Bill introduced by the hon. Baronet whose conduct had been most candid and fair in leaving it open to all parties to consider the measure and offer such suggestions as would lead to a useful and beneficial end.

Mr. *Richard Potter* agreed in what had fallen from the hon. member for Northumberland, and he must add that he thought the hon. Baronet who introduced the measure had hardly dealt fairly by the House. The hon. Baronet had obtained leave to bring in a Bill on the understanding that its chief object would be to prevent Sunday trading, but he had brought in a Bill which, if passed into a law, would disorganize the whole social system in England, and interfere with the most innocent recreations of the people on Sundays. The measure might do for Scotland, but he was convinced it would not answer for the people of England. He trusted that the Bill would not be permitted to pass another stage, for if it went further the House would become the laughing-stock of the country. He should oppose the Bill in all its stages, being convinced that it would do irreparable mischief.

Mr. *Andrew Johnstone* deprecated further discussion at present, and thought the attacks of the hon. members for Northumberland and Wigan were extremely unfair. In justification of the hon. Baronet (Sir Andrew Agnew), he must say, that he had never pledged himself to the limit of bringing in a Bill solely to put down Sunday trading, but his intention had been to accomplish the views pointed out by the Committee of last year in their report, now on the Table of the House. He felt assured that the hon. Baronet would not stand forward to support every iota of the Bill, but would withdraw any provisions which might appear objectionable. The hon. member for Middlesex had frequently reiterated the opinion of the Bishop of London, that it was impossible by legislation to make the people pious and religious. In answer, he would say, that there was not a line in the Bill which indicated any such intention on the part of the hon. Baronet, who, in fact, never contemplated that as his object. He (Mr. Johnstone) deprecated further discussion, but hoped that the provisions of the Bill would have the consideration of the House, assuring hon. Members that the hon. Baronet, and those who supported the measure, would not be unwilling to adopt any suggestion that might tend to the improvement of the Bill.

Mr. *O'Connell* felt it his duty at once to protest against the Bill which had been introduced. He had no notion that such a Bill was in preparation, and so different was it from that which he had expected, and from any measure which he could support, that, unless it was essentially altered in Committee, he should give it his most decided opposition.

Mr. *Richards* said, that he had presented petitions in favour of a better observance of the Sabbath from many of his constituents, than whom none could be more free from cant. The language of the hon. member for Northumberland, if not unparliamentary, was at least unfair and uncandid, and such as he hoped never to hear again. He had not read the Bill, and therefore would not say more than that he was favourable to its general principle.

Mr. *Cobbett* begged to express his thanks to the hon. Baronet opposite (Sir Andrew Agnew) for producing such a Bill as that he had brought before the House, for it was so bad a one, and would make such a revolution in the manners of the country, that it never could pass. With respect to what had fallen from the hon. member for Northumberland, he concurred with him in every sentiment he had uttered.

Mr. *M'Leod* did not believe that there was any cant, but there was religious and decorous observance of the Sabbath in Scotland, and the people of that country were anxious, as was evident by their numerous petitions, to promote a proper observance of that day. With respect to the Bill which had been introduced, he had read it with the most unqualified astonishment, and was convinced that unless it was essentially altered, it would not pass nor effect any good. If it was pressed in its present form, he should give it his most unqualified opposition.

Mr. *Brotherton* said, he did not concur in the opinions expressed by several hon. Members. The Sabbath was a divine institution, and its due observance must be beneficial to society, in a physical, moral, and religious point of view. He was ready to admit that no man could be made religious by Act of Parliament, neither could he be made honest by legislative enactment but as it was necessary to have laws to prevent robbery, why not also have laws to promote the observance of the Sabbath? The Sabbath was not observed as it ought to be, and without giving any opinion upon this Bill, he should support any measure calculated to promote the better observance of that important institution.

The petitions laid on the Table.

CASE OF RICHARD NEWSHAM.] Mr. *Cobbett* on presenting a Petition from Richard Newsham a soldier of the 53rd regiment, complaining of unjust treatment, and praying the House to investigate his complaint observed, that the hon. and learned member for the Tower Hamlets presented a petition from an officer the other day, complaining that he had been oppressed by a Court-martial, and he had done himself much honour by the manner in which he had brought it forward. The hon. and learned Member would not do himself less honour by taking up the case of this poor man, who had received 600 lashes for the most trivial offences. They were all of opinion that flogging was improper and yet here was an immense quantity of flogging for no offence. First this man was flogged and received 300 lashes because he had not had the proper kind of paper to wrap his ammunition in, and next he received three hundred lashes because the officer did not like his looks. This was in his opinion a most cruel case and as the statements of the petition were supported by affidavits, he particularly wished that the petition should be printed, and he must complain that the power of ordering that, had been taken from the House and intrusted to the Committee. The House granted 16,000*l.* a year for a Museum for the pleasures of the rich, while it grudged 4,000*l.* a-year for printing the petitions of the people.

Mr. *Littleton,* the Chairman of the Committee for classifying the petitions, &c., said that nothing had transpired to prevent the petitions being printed; and there was no objection, that he knew of, to petitions being read, but he must deny the right of any parties to have their petitions printed. As to the printing of all the petitions presented, the practice was absurd. When they were printed Members never read them; and he had received from fifty Members their approbation of the present plan—of the abstract which the Committee prepared, and which was regularly printed. He had not heard from any one complaints that partiality characterised the proceedings of the Committee. Had the hon. member for Oldham sat in the House formerly, he would not have complained of the present plan, the former plan having been utterly useless.

Sir *Ronald Ferguson* wished that the petition presented relative to the flogging of Newsham should be taken into the serious consideration of the House, because, if the contents were true, it was a disgrace to the army of this country; but he thought he might venture to say that no officer would dare to inflict 300 lashes for no other offence than that of having used improper paper to wrap up ammunition.

Lord *John Russell* stated, that he should institute an immediate inquiry into the case, and mention the result to the House.

Mr. Cobbett was about to make some remarks in reply, but the Speaker intimated that it was three o'clock the usual hour of adjournment, and left the Chair so that the petitions presented by the hon. Member could not be read and laid on the Table.

SUPPRESSION OF DISTURBANCES (IRELAND).] Lord Althorp moved the Order of the Day for the third reading of the Suppression of Disturbances (Ireland) Bill. Order read, and the noble Lord moved that the Bill be read a third time.

Mr. *Clay* protested, in the strongest terms against this Bill being allowed to pass into a law. He had voted in favour of the first reading of the Bill, in the hope that all the objectionable clauses might be altered in the Committee; but that hope had been defeated; and now, when there was no longer a chance of any alteration taking place, it came before them with all its worst imperfections almost unmitigated. There were still the mongrel Courts-martial; there was the interference with the right of petitioning, and there was also the suspension of the *Habeas Corpus* Act. Under these circumstances, he therefore felt compelled to vote against the Bill.

What, he would ask, could be gained by encumbering the Statute Book with this Bill? Absolutely nothing, but the power of putting down one species of agitation in order to set up another. The Government, however, might rest assured that nothing would put a stop to agitation in Ireland but alleviating the distress which so extensively prevailed in that country. As to the present Bill it combined within itself all the odium that attached to strong, and all the character of imbecility which attached itself to weak measures. It was evidently pointed against the hon. and learned member for Dublin, on account of his exertions to obtain redress for his country. But if the Government succeeded in crushing that hon. and learned Member, did they think that there would be no agitation? No, there would be agitation in Ireland as long as she had grievances to complain of. It was by agitation that the few boons which she had obtained were procured, and he would not allow that the hon. and learned member for Dublin did wrong in pursuing his agitation, as long as Ireland was oppressed and misgoverned. He thought, too, that the Bill would be found not to have the effect expected from it. But if he objected to the Bill on the score of inefficiency, he objected to it still more on the score of injustice. That measure was forced upon the Irish nation, because they presumed to complain of their grievances, and agitated to obtain relief. He would ask the House if it were wonderful that Ireland should be agitated? In his opinion it was only wonderful that it was not a scene of anarchy and rebellion. He would wish his Majesty's Ministers, instead of passing a measure like the present, which could only tend to exasperate the Irish nation, to limit it to merely such powers as would be strictly necessary for the suppression of the outrages committed by the Whitefeet. In his opinion, that House ought not to legislate in order to suppress the mere manifestations of agitation; but they ought to legislate in order to do away with the causes of the agitation. But they acted on the direct opposite principle. They made laws which strengthened those causes, and then they complained of the influence of the hon. and learned member for Dublin. He would advise the House to legislate as if that hon. Member were not in existence. The mistakes of his opponents were the true sources of his greatness. The Tithe Bill of the right hon. Secretary for Ireland raised the hon. and learned member for Dublin a great height in the estimation of his countrymen. To deprive him of power, do justice to the people; satisfy reasonable men, and they will no longer follow the banner of the hon. Member. No man was more opposed than he was to the Repeal of the Union, and he had never heard any arguments in its favour than those supplied by the acts of the Legislature. He hoped that Ministers would not deceive themselves into the belief that the sound and thinking portion of the public were in favour of this measure. He was satisfied that there was a strong prejudice against it among the middle classes of England, and that Ministers had lost much of their popularity in consequence of it. As a proof of the truth of what he said, he would beg of them to look to the result of the late contest in Mary-le-bone—a borough called into existence by themselves—and where, but a few months ago, no man would have had a chance who did not support them. What now was the case? Their candidate was routed by the very same Gentleman whom their former candidate had routed in the same borough. It was enough to secure defeat to be encumbered with their support. This he considered a proof of the increasing unpopularity of the Government. The hon. Member concluded by repeating that he would oppose the passing of the Bill.

Mr. *Wilbraham* was convinced that some coercive and severe measure was necessary for the security of person and property in Ireland, and in that conviction he had supported the principle of the Bill. He had also the fullest confidence in his Majesty's Ministers, and was convinced that they would not demand such a Bill if it were not indispensable. He approved of that part of the Bill which went to suppress political associations, because he thought that they were the root of the evil. It had been asserted that these associations had no connexion with predial outrage; if that were the case, human nature must be different in Ireland from what it was every where else. It would, however, require much to convince him that the seditious harangues at the Corn Exchange were not exciting causes of the outrages in the provinces. But though he was convinced of the necessity of some such measure, he had not the same conviction as to the Court-martial clause, and he shrunk from the responsibility of establishing such a total departure from the Constitution. He admitted that in the progress of the Bill the clause had been greatly qualified, but still not so much so as to satisfy him and to remove his objections to it. He had, therefore, voted against the clause; but, with that exception, he supported the general principle of the Bill. He would vote for the third reading.

Mr. *Cobbett* could not suffer this Bill to pass without saying a few more words; but though his words were few they should be decisive, and should lead to a division of the House on the subject. The hon. Member on his left (Mr. Clay) having said, that the people were not with Ministers on this measure, there was a sort of negative cheer on the other side of the House. He would say, too, that the people were not with Ministers on this measure. He himself had that morning presented petitions against the measures signed by 50,000 Englishmen, resident in some of the greatest towns in the kingdom, among others Manchester, Norwich, Great Yarmouth, Nottingham, and Preston, the subscribers being some of the most respectable inhabitants, if respectability was taken to mean wealth and station. He had presented, too, about forty petitions from different parts in Scotland, Ireland, and Wales; and every petition presented to the House on the subject was strongly against the Bill; not one was for it. The voice of the whole people of England was against this abominable Bill. He would not detain the House any longer, but at once read a Motion he intended to bring forward, and at least put it on record. He intended to divide on the Motion; he had not thought of asking any one to second it, and he did not much care who voted for it; he was sure that his colleague would; and whether any body supported it or not, he and his colleague would at least have done their duty. The hon. Member then read the Motion, which was, that "This House, seeing in this Bill the substitution of Military Courts for Courts consisting of Judges and Jurors—seeing in it the abrogation of the most precious of all the institutions of the country—seeing clearly that its main purpose is to keep in the hands of the present aristocracy the plunder of the ancient Church and the poor, which the ancestors of that aristocracy obtained by apostacy, and which has been retained by the cruel penal laws and by the shedding of innocent blood—and suspecting moreover, that this Bill is intended as a prelude to the adoption of similar measures in Great Britain, this House will read this Bill a third time this day six months." He would make but a very few observations, and those merely to repeat his conviction that this Bill was not intended for the Irish people alone. The idea of introducing an armed police force throughout this country had occurred to Ministers, from their being well assured that they would not be able to carry on the levying of their most oppressive taxation without this species of Executive Government: this was their only means of exacting the taxes; and he himself had reason to believe that they had their plans already before them, and that they would soon be brought into the House. The hon. Gentleman concluded by repeating his Motion.

The *Speaker* said, that he presumed the hon. Member meant it as an Amendment on the original Motion. It was not customary however, to enter on the journals of the House any reasons for a Motion, and the hon. Member would see that by assigning reasons for his Motion, he would prevent those who did not assent to those reasons, and did assent to his Motion, from voting for it.

Mr. *Cobbett* did not care about that; but as he understood that his Amendment was not consistent with the orders of the House, he would move simply that the Bill be read a third time that day six months.

Mr. *John Fielden* seconded the Amendment. He was sorry to say, that he concurred in the opinion that this measure was not intended solely for the Irish nation.

Mr. *Poulter* defended the conduct of his Majesty's Ministers with respect to this measure, and deprecated the assertion made by the hon. and learned member for Dublin, and other Gentlemen from Ireland, that there was an understanding between the Members on that (the Ministerial) side of the House, and the Government, to degrade and enslave their country. No idea could possibly be more erroneous. He could assure the hon. Gentleman opposite, that many hon. Members on that side of the House were total strangers to his Majesty's Ministers. What, then, had been the general character and motive of their support? It was, that without obligation or connexion, unknowing and unknown, they believed them to be the first Ministers in this country who had united the power with a desire to do justice to the whole community. In spite of the insinuations thrown out, particularly by the hon. member for Middlesex, he would assert that they were real representatives of the people—carrying with them the hearts and affections of the middle classes, and of the yeomanry of England, and owing nothing to the Government. They acted with it for good purposes only, and for no other; and they conscientiously believed that Bill to be one of those good purposes. He knew that this qualified support had been called weakness in the present Government; that the absolute command of former Ministers had been called strength: but that an apparent and delusive strength, because it failed to carry with it the opinion of the people. The imputed weakness of the present Government was real and constitutional strength, because it carried with it the sentiments of England. It was an easy matter for the hon. and learned member for Dublin to obtain admiration and applause for his powerful talents at certain popular meetings; but let him not mistake this for the real voice of the English community. It was an easy matter for him to cast imputations upon those who possessed the suffrages of their constituents; but let him remember, that in spite of wealth, authority, and power, they had been triumphantly returned to this House, unshackled and unpledged, except to the general public good, by the regard and devotion of enlightened and patriotic men. They were a sample of that majority which, by his own able showing, and unanswerable arguments on the Reform Bill, would carry with it internal and irrefragable evidence of the wisdom and justice of any measure which they supported, because they were the undoubted depository of the feelings and of the love of the people. They waited night after night, to hear some answer to the overwhelming and tremendous case which the Ministers of the Crown had presented to this House. They heard none—they heard nothing approaching to an answer: most of the facts which were appealed to, had no bearing on the precise case before the House. They witnessed, with pleasure, in some of the hon. members for Ireland, a brilliant vivacity of mind, a powerful imagination, great goodness and warmth of heart, and a devoted attachment to their country; but their efforts had fallen powerless upon the reason and upon the judgment of the House. They should have convinced the House, either that the enormities stated had not occurred, or that the powers of the Constitution were adequate to suppress them. Anything else was *telum imbelle sine ictu*. Even now, even at the eleventh hour, if they would show cause, the independent members were ready to say "No," and to go forth with the members for Ireland in opposition to the Bill; and without it they could not ask or expect support. The greater part of the case on the opposite side had been confined to the subject of the old and historic misgovernment of Ireland. In all that he fully agreed with the hon. Gentlemen opposite; but what argument could be derived from that, to justify the total annihilation of all law and of all government? He admitted that the undoubted advantages in trade conferred by England on Ireland had been but a poor compensation for the calamities inflicted on that country; because, while the capital of the country had been decidedly increasing, the misery and wretchedness of a deserted population had been increasing also. No good man would cast the slightest reproach upon the individual and suffering ministers of the Irish Church; but he lamented to say, that he must always regard them as the unhappy though innocent possessors of a fatal and injurious extent of property. God had told mankind that he would not permit his worship to be propagated by force, by wealth, or by power; they had violated his eternal laws, and were reaping the fruits of that violation. Where had been the moral and the social influence of the landlords of Ireland, without which no community was ever known to flourish? Where had they been who should have been examples and protectors to the people—who should have delighted in the prosperity of their tenants and their families, who should have watched over their happiness and comforts, their moral and even their religious education? As a nation, he regretted to say, we had deserved all that had fallen upon us; but that nation, by its first real Representatives, hastened to express its contrition and repentance, and expected to be forgiven. To abandon the protection of life and property would be an aggravation of, and not an atonement for, the past. And how could that affect the present Ministers of the Crown, who had spent their political lives in the most determined opposition to the whole Irish system—who had protested and fought against it? The hon. and learned Gentleman could not accuse them. The truth was, the hon. and learned Gentleman had appeared upon the theatre of the political world too late—he had fallen upon a wrong time; his distinguished powers should have been displayed at another period—he should have sat in Parliament when Ministers of a different system filled the benches opposite to him. The outpouring of the full indignation of the hon. and learned Gentleman was, indeed, a most unmerited visitation upon the first Ministers of England who were ever to be counted amongst the true friends of Ireland. Former Ministers had possessed great talents, and he believed the best intentions, but they were controlled and overruled by a bad and a vicious system. It was intended by this Bill to destroy the Trial by Jury in Ireland. Trial by Jury had ceased practically to exist, and the question was, how it might best be restored. He was glad that some qualification had been introduced into the clause for establishing Courts-martial, particularly that proviso which gave to such Courts Members of greater experience than might have constituted them under the Bill as it had come from the Lords. It had been contended that Special Commissions would have rendered the appointment of Courts-martial unnecessary; but Special Commissions were only anticipations of the ordinary Courts of Assize, and would not be found more efficient than the ordinary courts. The same difficulties which lay in the way of a prompt and efficient administration of justice by the one would necessarily apply to the other. Courts-martial were, therefore, in his opinion, rendered necessary by the circumstances of the country.

Sir *Samuel Whalley* said, in coming forward on this occasion he felt that he laboured under considerable disadvantage, not having heard those able and eloquent appeals which had been made to the House in favour of this measure. If he had heard them, many of the scruples which he entertained against the Bill would perhaps have been removed. It was possible that the Government might have convinced him that the omission of those clauses which were opposed to his feelings, and he believed to the feelings of all the people of England, would be destructive of the efficacy of the Bill, and that, therefore, they ought to be retained. No such conviction had, however, reached his mind—and he could not give it his support. He was very glad to see that some of the clauses had been modified, though the modification in no instance was complete enough to induce him to support them. In its present state, he certainly saw no reason for voting in favour of it. Having read the powerful and touching appeals of a right hon. Gentleman, who was now, he believed, Colonial Secretary, relative to the dreadful atrocities that were perpetrated in Ireland. he, founding his opinion on those statements, would have willingly entertained any fair measure that promised to establish the supremacy of the law in that country, and to give that protection to life and to property which was the bond of union in all civilized states. That was the great social compact which united men together, and when that social compact was not voluntarily sustained, it became necessary to strengthen the power of Government. But the great constituency which he represented naturally asked, was there no mode of asserting the supremacy of the law except by suspending the Constitution? They saw with great abhorrence even the Court-martial clause of the Bill. They considered that military officers were, of all men, the least fitted to preside in Courts of Justice. Brought up in habits of implicit obedience to authority, they could not be considered as impartial administrators of the law between the Government and the people. He wished to see Ireland in a state of peace and tranquillity—he wished, for that purpose, that the law should be fairly allowed to take its course; but he could not approve of such a measure as this. Ireland had been suffering for ages under a series of misgovernment, improvements had been promised, and the people could not but look with jealousy even on measures of a remedial description, when they were accompanied by a bill so oppressive and so tyrannical as that now before the House. He believed, that Ministers experienced the most unfeigned pain in bringing this measure forward, and he was convinced that no circumstance would give them more heartfelt satisfaction than to be able to come down to the House and state, that no necessity existed for having recourse any longer to extraordinary powers for the purpose of upholding the dominion of the law. But he certainly did think that the system which seemed now to be acted upon—that of bestowing a boon with one hand and a curse with the other—was not the system by which peace and happiness would be restored to Ireland. Neither was it a system consistent with the universal feeling of the people of this country. He had spoken thus early, because he feared, if he did not seize that opportunity, he should be unable, in consequence of illness, to state his sentiments, and the sentiments of his constituents. He trusted that, after one short year had passed, this measure would be viewed as a mere dead letter. He hoped that the people would give no excuse for its being carried into effect. He implored the hon. and learned member for Dublin, and all those who had any influence over the Irish people, to exercise that influence in pacifying and tranquillizing them.

Mr. *Barnard* regretted very much that one of the first votes he should have to give in that House was in favour of such a measure, but he hoped that the suspension of the liberties of the people of Ireland would be only for a moment, and that in a short period, they would be restored brighter than ever. His consent to the Bill was wrung from him by hard necessity, but he felt convinced that the power which he intrusted to the Government would be properly and carefully administered. He would, however, recommend the Government to attend to the wants of the Irish people, to establish Poor-laws, and to take away every pretext for agrarian disturbance. Looking forward to the period with pleasure when he should be called on to give his vote in favour of beneficial measures for Ireland, he meant, in the mean time, to vote for the third reading, as he had voted for all the other stages, of the Bill.

Mr. *Langdale* had voted for the first and second reading of the Bill, but he could not vote for the third reading. He had voted for the first and second reading, because a case had been, he thought, made out, that some extreme measure was necessary; but there were some of the clauses to which he could not agree. He had intended in the Committee to make some objections to those clauses; but these objections were so much better stated by others than he could state them that he had abstained. There was one clause which stamped the Bill as a measure of great severity. That was the clause which established Military Courts. One circumstance, in particular, he thought of great importance—a redeeming feature in the character of the Irish through all these disturbances. On neither side of the House had one word ever been said to lead any person to suppose that, in all these disturbances, there was any symptom of disloyalty. There was no feeling in the peasantry against the soldiery, because they did not consider the soldiery as their Judges, but only as executing the orders of their superiors. By constituting these Military Courts the Judges of the people, they would run the risk of turning on the military that odium with which the Magistrates were now beheld. There was nothing, he thought, likely to be more dangerous, than that the detestation with which the people now beheld the Magistrates, should be turned upon the officers and the soldiers. He was afraid that such a feeling might lead to outrage on the part of the peasantry against the soldiery, which would be followed by irritation in the latter. Who could then say, from one day to another, that on the next day there would not be civil war in Ireland? Under this particular view, independently of all feelings which he entertained againt Courts-martial, he should feel bound to vote against the third reading of the Bill.

Mr. *John Young:* The hon. Member (Mr. Langdale) who had just sat down spoke of a detestation which existed in Ireland against the Magistrates; it had been too much the fashion in the House to run the Magistrates of Ireland down. He thought hon. Gentlemen who made such accusations would pursue a course more beneficial to the country if they were to fix on some act of oppression committed by a Magistrate, and bring it before the proper legal tribunals. This mode of proceeding would have the advantage of bringing the offending party, if guilty, to justice, and of affording him, if innocent, an opportunity of defending himself, and clearing his character; but the Magistracy of Ireland were intimately connected and identified with the resident landed proprietors; and it might be all very well for those who had little connexion with the property, and still less with the gentlemen of that country to depreciate their motives, and disparage their characters. But he had received many kindnesses from that gentry, had mixed much with them, and would never sit in silence to hear them abused. For a portion of them, at least for those of the county he represented, he would answer confidently, they deplored as much as any men could do the wretched state of their country; they never had done anything to aggravate the sufferings of the people, but on the contrary were willing and active in their endeavours to relieve them. Whenever their assistance was required they would not shrink from their duty, but would come forward, as he knew they had already done, to concert and carry into effect measures for the support of the laws, and the preservation of tranquillity. He had been much surprised on hearing many Gentlemen attribute the present disturbances in Ireland and indeed all disturbances that had ever taken place there, to some particular aggression, some single grievance. Was it not notorious that combinations had been entered into, and outrages perpetrated there, not merely for the purpose of sapping the foundations of the Constitution, but pointedly distinguished by an attempt to separate that country from England. Was it not well known that conspiracies had been formed and disturbances fomented without a view to any particular grievance —not directed to the attainment of Roman Catholic emancipation, or Parliamentary Reform, or the abolition of tithes, but to the open and avowed object of subverting all law and order—of disconnecting the two countries, and as had been frequently said out of the House, and more than once within its walls in his own hearing, of entirely throwing off the Saxon yoke? Such a feeling, he firmly believed, was at this moment very prevalent in Ireland, and further, that it was supported by numbers, by physical force, and a very complete system of organization, and how it was to be met and checked unless by the exercise of an opposing force he knew not. Entertaining this sentiment he had voted for the first and second reading of the Bill, but while he so used the vote intrusted to him by his constituents, he had not been insensible of the extreme difficulty of the position in which the conduct of his Majesty's Ministers had placed him with regard to those constituents. They had no confidence in the present Administration; they only knew that their prayers had been slighted—their petitions disregarded—and their best interests, on several occasions, sacrificed to the demands of those whom long and sad experience had taught them to consider their bitterest enemies; and they saw the Ministry pledged to a series of measures, partly remedial, partly coercive, to no one part of which could they give an entire approval. The so styled remedial measures involved in their eyes, principles pernicious to long-established and valuable institutions; and were in their details fraught with manifest partiality and glaring injustice. And as for the coercive measure—that wide infraction on the Constitution—that abandonment of all the safeguards of freedom—who could approve of its provisions, except in the last extremity? It was not expediency, but the urgent and melancholy necessity of the case which required their assent to this measure. But his constituents might fairly ask him, what guarantee had they that those fearful powers might not be capriciously and unwarrantably exercised against them? Might they not ask, by whom were they to be exercised? His only answer would be, by a Lord-lieutenant who confounded public opinion with casual popularity —who had often gone, as it were out of his way to slight and injure them and their best interests—and whose whole system, since he first set foot in Ireland, had been only a series of vacillations from violence, which obtained no respect, to concession which never merited favour. He did not think that what had taken place in the Committee on the Bill was likely to increase the confidence of those he had the honour of representing. Ministers had come down with ample and authentic documents, proved their case, and demanded powers which in the first instance they must have considered as only sufficient. Yet after all this they admitted modifications. Who could confide in men who had in such a way relinquished positions which they at first took up as indispensable, and who quailed as they had done, before the violence of a small but determined opposition. His hon. and learned friend, the member for the University of Dublin (Mr. Shaw) had clearly pointed out how materially they had weakened the measure in that part that related to political offences. If the agricultural outrages were not caused by or connected with political excitement, so terrible a measure should never have been brought forward; much smaller powers would have been sufficient to quell them; but if the two were really connected, the political crime should not have been suffered to go unpunished, while the agricultural, the minor offence, was so heavily visited. Either the clause should never have been produced or it should have been persisted in. He begged to set the hon. member for Marylebone right in one point; he had erroneously stated that the hon. and learned member for Dublin led all Ireland like a child. He could assure the House that Ireland was by no means unanimous in its devotion to the hon. and learned Member; and if the hon. member for Marylebone would take the trouble of counting over a list of the Representatives from Ireland, he would find the majority did not rank themselves under the banners of the hon. and learned member for Dublin. He had not risen to enter at length into arguments on the measure before the House, but merely to express what he considered to be the sentiments of the constituency who had sent him there to guard their interests. They formed a part of the body which had once been considered the outguards of British interests, who at the present day possessed a vast proportion of the property of Ireland, and united in themselves some of the most industrious and improving classes. If inclination, or indifference, or short-sighted policy, or the political preponderance which their opponents had attained in that House and the country, induced Ministers to abandon them and leave them as they were, depressed and disheartened, they would not consider such treatment, as some hon. Member said the opposite party would, the refusal of their demands as a declaration of war, but they would consider it as a sentence of banishment—they would go forth in hundreds, aye, thousands of them were at that very moment going to seek, in other lands for that protection and encouragement which they could no longer obtain in their own, under that Constitution which their forefathers had been no mean instruments in aiding England to maintain. He would admit in its fullest extent, while he deeply lamented the wretched state of Ireland, and he admitted the necessity which existed for reinforcing the law with new powers—at the same time he must express his dislike of and even his repugnance to the severity and extent of the present measure—his dissent from the modifications which had been allowed, as only tending to render it anomalous, to impair its efficacy, and probably to make it as vain as it was violent. He did not place any confidence in his Majesty's present advisers, but under all the circumstances of the case, he would not offer the Bill any opposition because he would not leave those in power a handle for saying that any one of the Representatives of Ireland who considered themselves more particularly connected with the property, and the better disposed classes of that country was found to throw obstacles in their way when they professed themselves willing to attempt to tranquillize it by means and measures of their own choosing.

Sir *Harry Verney* having voted for this measure in all its stages, was happy to embrace that opportunity of saying, that it was with great regret that he had found himself under the necessity of supporting such a measure. He did not regret having supported the Bill, because it was necessary to give to the Ministers the powers they asked, as rather than not have voted as he had done, he would have voted for the removal of the Ministers; there was no middle course. Either the Ministers must be trusted, or they must be displaced. They had taken a vast responsibility on themselves. In the present instance, the responsibility attached itself especially to the right hon. Gentleman, late Secretary for Ireland; and it was in reliance upon his justice, integrity, and judgment, on the affairs of Ireland, that he had given his assent to this measure. The duties of that right hon. Gentleman must have been attended with peculiar difficulty. Ireland had long been governed by one party. The Protestants had been well called the English garrison in Ireland—a brave, a faithful, and a loyal garrison; a highly intelligent portion of the Irish community; but it must be owned that such a garrison, under no very rigorous control, and sensible of the debt of gratitude due to them from England, might sometimes have lorded it over their fellow-subjects. This party, so distinguished for wealth, ability, and power, it had been the duty of the right hon. Gentleman to restrain; and therefore their Catholic opponents, so long the victims of oppression, and so vastly superior in number, had thought that the time had arrived, when they in their turn were to domineer, and they had opposed to the Government of the right hon. Secretary, all the obstacles that a dense and ignorant population, under the mental and spiritual dominion of their priests, and unrestrained by the influence of their absentee landlords, had been able to offer. It had been said, that the people of England were against the Bill, but he believed that such an assertion was totally destitute of foundation. He knew that many petitions had been presented against it, but were those petitions spontaneously sent? Were they not sent in consequence of suggestions from others? They seemed to come only from a few places, and to be the offspring of a few men. Under such circumstances, he doubted if they were entitled to that respect which the spontaneous petitions of the people complaining of grievances deserved, and would, he hoped, always obtain.

Mr. *Hall Dare*, as the Representative of a large constituency in the neighbourhood of the Metropolis, took it upon himself to deny that the people of England were against the measure. Those hon. Members were wrong who supposed that the people of England were inclined to resist a measure which was to give peace to Ireland.

He disliked the modifications in the Court-martial clause, because they destroyed the efficacy, but left all the odium of the Bill. He would, nevertheless, support it.

Mr. *Ruthven* regretted that this first step should be taken to destroy the union between the two countries. The Bill had been so nursed and dandled in that House, so altered and modified, that when it went back to the House of Lords, the Peers would not know their own child. In the name of his constituents, he protested against the Bill, and would resist it to the last.

Mr. *Barron* regretted to find, that the conduct of his Majesty's Ministers had placed him, and those who thought and acted with him, in a false position, by the grounds upon which they called upon them to assent to these violent measures. The main ground was, that no justice could be had in Ireland by trial by Jury. Now he would fearlessly state, that the late trials in Ireland had given a flat contradiction to these assertions. It was not his intention to detain the House, or to do anything to impede the Bill, when he considered that it had been now nearly two months before the House, but he would repeat, that in the late trials by Jury, the majesty of the law had been triumphantly vindicated in Ireland. Away then went the argument of his Majesty's Ministers in support of this Bill, and of the necessity of Courts-martial, and the exercise of military power. He for one felt bound to give his thanks to the independent English and Scotch Members; and he was sure they would receive the thanks of their constituents for their exertions in support of the liberties of Ireland. They came boldly forward on that occasion, because they felt that when the liberties of one portion of the United Kingdom were destroyed, England and Scotland might well tremble for their own. Ministers had, he repeated, placed him and others in a false position, because they made them appear the abettors of the nightly murders and other misdeeds of the miscreants who prowled about for the worst of purposes. He had been induced to go certain lengths in support of the Bill, but he objected to giving such powers with scarcely any responsibility. One of the worst features of the Bill was, that it was open to the greatest abuses; whilst those to whom these extraordinary powers were intrusted, were irresponsible for the manner in which they were exercised. It was vain to talk of responsibility. A poor man might be confined in a dungeon six months without an opportunity of complaining, and then he was told he might petition. The poor and humble to contend against the rich and powerful,—there was, there could be no responsibility in this. He protested against the Bill for these three principles which it embodied; the suspension of the *Habeas Corpus* Act, and of the trial by Jury, and the abrogation of the right of holding public meetings even for the purpose of petitioning.

Mr. *George F. Young* said, that he had supported his Majesty's Ministers on the Address, but when the present measure was developed to the House, he felt that though some extraordinary powers were necessary for the administration of justice in Ireland, yet some of those demands were of so extravagant a nature as to call for his determined opposition. He had listened to all the debates on this question with great attention, and he must say, with regard to the speeches of the right hon. Gentleman, late Secretary for Ireland, that while he admitted the power and eloquence of that right hon. Gentleman's appeal, he could not congratulate him on the purity of his taste in introducing so many acrimonious personalities as he had thought proper to indulge in. The right hon. Gentleman's speeches had not had so much effect on him as the speeches of the noble Lord, the member for Nottingham, (Lord Duncannon) and of the hon. member, the Lord-lieutenant of the county of Wexford (Mr. Carew). But the evidence which was more conclusive than any other, was that of the hon. and learned member for Dublin, who, in the course of a speech on another subject, made use of some expressions respecting the state of society in Ireland, which had the most powerful influence on his mind. The hon. and learned Gentleman stated, that there was a large portion of the population of the north of Ireland who were armed, and ready to break out into actual rebellion. [Mr. *O'Connell*.—No! no!] He could refer to those documents which usually furnished them with the proceedings of the House, and he had a perfect recollection of the observation. He was justified in taking the words that were so uttered for another purpose, as an argument on this occasion. In his opinion, the evidence was conclusive as to the state of Ireland, and furnished proof that the ordinary law was not sufficient for the security and protection of life and property. He had voted in the Committee once against the Ministers, but he felt, that because he had not been able to gain the modifications he had desired, he ought not to deprive Ireland of such advantages as the Bill would confer, and he should, therefore, vote for the third reading.

Mr. *Ward* wished to make as few additions as possible to the flood of dissertation by which the House had been overflowed during the last six weeks; but he felt himself bound to offer some few remarks to the House. He did not mean to convey any censure upon the minority. The Irish Members had a duty to perform, and they had performed it fearlessly and perseveringly, and with as much good humour as it was possible to show while playing a losing game. No one, he was sure, could have followed as he had, every stage of the proceedings, without feeling the most unfeigned respect for the abilities displayed throughout by hon. Members, and by the hon. and learned member for Dublin in particular; abilities which had enabled him, notwithstanding sundry knock-down blows, and in the face of a great numerical majority, on the part of his opponents, to continue the struggle to the last, and to effect, by the force of argument, many important alterations in the Bill. In this, however, he had been mainly assisted by the liberal spirit of his Majesty's Ministers. Not a single practical improvement had been proposed, not trenching too deeply upon the main principles of the Bill, which they had not adopted; not a single doubt been suggested as to the possible misinterpretation of a clause which they had not at once come forward to remove. The hon. and learned Gentleman had admitted that upon more than one occasion; and when he looked at the extent of the concessions made, concessions bearing, all of them, upon the most important clauses of the Bill; excluding political offences from the jurisdiction of Courts'-martial; doing away with all discretionary power in domiciliary visits, and giving up private imprisonment, for which nothing could have induced him to vote. He did not see how if extraordinary powers were required, less than those now given could be expected to answer the end. Some hon. Members thought that the efficiency of the Bill was already endangered, and particularly the hon. member for Essex and the hon. and learned member for the University of Dublin, but the opinions of that hon. Gentleman were too deeply tinged with party spirit to have that weight to which his abilities, would, otherwise entitle them. It was not for the purpose of putting down one man, or one party, and setting up another, that the British Parliament was called upon to legislate, but for the solemn the sacred purpose of vindicating against all men and all parties, the authority of the law, and of proving that the whole force of the community would be directed against those who dared to resist it. That he believed would be effected by the present Bill; for, although it might not give to a drum-head Court-martial the power of hanging or transporting, the hon. and learned member for Dublin, after four hours' notice, which was the principal objection made to it by its conservative opponents, it would put an end to the system which had rendered it so difficult, of late, for Juries to do their duty honestly, by bringing within the immediate grasp of the Act those miscreants who took an active part in the work of intimidation. If they could do that—if they could check the atrocities of the Whiteboys, and, by giving protection against nocturnal violence, put an end to the reign of terror in Ireland, they might safely leave political offences to the decision of a Jury. There was no meaning in the phrase invented by some hon. Gentlemen opposite, to excuse their votes against the Court-martial clause in its modified shape—namely, that they would not make one law for the rich, and another for the poor. The House had not done that. It had not made one law for the rich, and another for the poor. It had simply removed the check upon all law, established by the rich through the agency of the poor—by inflaming their passions—by taking a cruel advantage of their distress — and it now left those who ventured to continue this dangerous game, to the judgment of those laws which our ancestors had transmitted to us. They had seldom proved ineffectual for the protection of innocence, or for the punishment of guilt; and although their vigour had been much impaired of late, he had little doubt that it would be restored by the present Bill. He agreed with the hon. and learned member for Edinburgh, to whose speech, the other night, he listened with the deepest attention, in thinking that necessity alone ought to be the measure of this assistance. All constitutional changes were evils, and of those evils they ought to choose the least. Upon that principle, in a Bill, every part of which was repugnant to his feelings, alike as an Englishman and as a man, he had supported every modification which had appeared to him to be practicable, and had regarded these changes as the only bright points throughout this gloomy discussion. He might be told, perhaps, that it would have been easy for him to have increased the number of these bright points, by opposing Government upon some of the principal clauses of the Bill. He admitted that; but he could not have opposed Ministers upon any of the principal clauses, without opposing his own honest conviction likewise, that if they wished to preserve a vestige of the spirit of the Constitution in Ireland, they must dispense, for a time with its forms. Had he not entertained this conviction, nothing should have induced him to enter upon the consideration of such a Bill as the present at all; but, entertaining it as he did, he did not feel himself justified, while admitting the principle, to object to the details. Hence his vote in favour of Courts-martial and of domiciliary visits; hence his opposition to the amendments proposed by the hon. and learned member for Dublin, two nights ago. Every change was founded upon the assumption, that the ordinary powers of the law might be rendered sufficient for the preservation of tranquillity, if the law were properly enforced; and this argument again rested upon the alleged success of the Special Commissions in Clare. Now, what were the facts of this case? He did not think that the House was aware, as he certainly was not aware, until within a very few days, that at the time of this boasted success—this great and peaceful triumph of the moral authority of the law—no less than 7,000 men were employed in Clare alone to protect the persons of the ministers of justice, and to give a limited effect to their decrees. Were they prepared to follow up this system, and to detach an army into each county, as a necessary appendage to a Judge's retinue?—to send barristers and lancers on the same circuit, and to regulate the progress of our courts by the march of a regiment of the line? It was really an insult upon the understanding of the House, to say that this was the wisest, and the safest, and the most constitutional course. As if the British Constitution acknowledged such accessaries—as if there were anything more unconstitutional in the employment of the military, even as proposed by the Bill, than in the habitual application of military means, to give effect to laws the sacred character of which Gentlemen so continually invoked. He had disposed of the arguments of those who founded their opposition to the present Bill upon the results of the Clare Commission. But there was another class amongst its opponents, with whom he did not pretend to argue at all. He alluded to those English Members whose prejudices were so strong, or whose intellects were so obtuse, that, in the very teeth of facts, they denied the existence of any peculiarities in the state of Ireland that called for extraordinary proceedings. At the head of this class he should place the hon. member for Oldham, the hon. and learned member for Bath, and the hon. and gallant member for the county of Surrey—Gentlemen who seldom rose in the House except for the purpose of reprobating its proceedings, and of misrepresenting, most grossly, the motives of those to whom they were opposed. He was aware that it was little less than high treason to speak thus of those hon. Members, for, if they were to be believed, they possessed a monopoly of reason, of public principle, and of liberality of feeling. They alone had any regard for the wishes and interests of the people. It was a pity that to so many advantages they did not add a little common sense. He did not mean to include the hon. member for Oldham in the last remark, for few men possessed a larger share of penetrating common sense than that hon. Gentleman, although accompanied by many peculiarities; but as to the other hon. Members alluded to, it was a pity that they had not a little power of ingrafting practice upon theory, finding out that Government was not a system to be studied upon paper, but an art to be learnt from, and regulated by, the wants of mankind. The hon. and learned member for Bath (Mr. Roebuck), would not, he was persuaded, have the slightest scruples in throwing the whole country into confusion to verify a proposition in *The Westminster Review*. He gave the House a tolerable specimen of the lengths he was prepared to go in presenting a petition to the House, when he used such language as Gentlemen might often hear outside of the House, but such as never before, he believed, had been heard in the House. Even Mr. Steele, who was such a prominent agitator in Ireland, would find himself distanced by the boundless extravagance of the hon. member for Bath. That hon. Gentleman had quoted the language of Mr. Fox, but he was sure if he had studied the words of that celebrated orator attentively, he might find there lessons both of moderation and wisdom. He would call the attention of the House to one observation of that great man. The hon. member accordingly read a passage, to this effect:—"No man is more disposed than I am to hold sacred the forms of the Constitution, but I hold them sacred only as they are outguards and protectors of the main body. The moment they cease to be guardians and become betrayers, I cease to venerate the forms, but refer to the substance of the Constitution itself." That was what the House had now done. They had disregarded the forms to save the substance, and had dispensed with the forms of the law in order to give legal protection to those whom the law in its present state could not protect. He had ventured a few nights before to allude to the petitions presented to the House against the Bill, and had then ventured to assert, that they did not express the genuine and spontaneous will of the people. He was met by the hon. and learned member for Dublin, who asserted, that the petitions were both numerous and spontaneous. As he was not in the House when the petitions were presented he was taken a-back by this declaration, but he had since seen reason to be surprised that the petitions were not more numerous. He would take the case of the petitions from Dublin. Not content with one large petition having 16,000 signatures, the same persons had signed other petitions under every variety of form. The inhabitants of parishes, and even streets, sent separate petitions, and the various divisions of the trades afforded similar convenient pretexts. First the Dublin people signed as citizens, and then as butchers, tailors, and barbers. Even the journeymen of these trades had sent separate petitions, the same men swelling the numbers, by signing under different characters, different petitions. He was only surprised, that, under such a system, a much larger number of petitions had not been sent up. The petitions from England, which amounted only to fifty, and Scotland, had emanated chiefly from the Political Unions, and all the Members well knew how they were got up. But where, he would ask, were the numerous assemblages that congregated last year on another subject? Where the crowd, who, last year, offered up their grateful incense to the hon. member for Middlesex? He denied that there had been any strong or general expression of the feeling of the people of England against this measure. The people of England had been silent, because they did not regard. Good, sound, stern, English common sense had led them to participate in the feelings of his Majesty's Ministers.

Mr. *Maurice O'Connell* said, he would reply first to the latter part of the hon. member for St. Alban's speech. The hon. Member, who sat behind the Treasury Bench, used the "we" with so much consequence, in speaking of the intentions of his Majesty's Ministers, that he (Mr. Maurice O'Connell) thought it very likely that, in the course of the changes which were taking place in the Ministry, he might meditate a descent to the Treasury Bench itself. The hon. Member had stated, that, out of the places which had petitioned against the Irish Coercion Bill, only fifty were from places in England, and that these were all from places in which there were Political Unions. Now these very Political Unions, which were now decried, were, a year ago, the means of maintaining Ministers in office. He knew an individual who, at that period, had met a party that had just left one of his Majesty's Ministers with fifty franks for the purpose of writing letters to the leaders of the different Political Unions in the country. These letters were written and received; and in consequence of these letters, the movement at that time took place. [*Cries of "Name."*] He was ready with the name. He never stated a fact in that House of which he could not give proof. He would not mention the name publicly, but he would mention it to any one of his Majesty's Ministers, and there were Members in that House who knew it to be a fact. When the hon. Member spoke against the petitions of the people, he surely could not be aware that the hon. member for Oldham had on one day presented twenty-five petitions against the Bill, signed by 25,000 persons. While only a very few petitions had been presented in favour, 470 had been presented against it, signed by 400,000 persons. The hon. Member had thrown some ridicule on the trades of Dublin, but was the hon. Gentleman aware that the guild of barbers to which he particularly alluded included the surgeons; and that, therefore, it was almost certain, that that guild was composed of the most enlightened and best educated men in the Corporation? The hon. Member was ignorant of that, or he sacrificed truth for a bad joke. The hon. Member referred to the hon. Member for Oldham, to his hon. and learned friend the member for Bath, and to the gallant member for Surrey; and he had spoken of them in language against which he must protest. In this part of his speech the hon. Member seemed to think that he seized time by the forelock; as two of the hon. Members alluded to were out of the House at the moment, and the hon. member for Oldham, had already addressed the House, and therefore could not reply to the hon. Member. In those observations the hon. Member thought proper to speak of those hon. Gentlemen in terms, which, if they had been present, would have been replied to at once. When the hon. Member spoke of his hon. and learned friend, he perhaps did so undesignedly, and was not aware that his hon. and learned friend was absent. If the hon. Member was aware of his hon. friend's absence, it was extremely ungenerous in him, in his *impromptu* to go out of his way to attack his hon. friend. The hon. Member sneered at the hon. and learned member for Bath, for having written in the *Westminster Review*. He did not know that it was discreditable to be engaged in literary pursuits; and certainly he did not expect to hear literary occupations sneered at by those who had obtained posts in the ministry from contributing to a particular review. The literary labours of his hon. friend were, he hoped, a source of emolument to him; and it was for the hon. Member to prove, that such labours were discreditable. His hon. and learned friend, on the occasion alluded to, had manfully stated his opinion; and he felt the hon. Member should have answered them at the time. With respect to the sending the Special Commission into the county of Clare which had been alluded to, he felt called upon to state one or two facts to the House. For some months previous to the issuing Special Commissions, there had been a great deal of prædial agitation, and it was gradually extending itself; and no attempt was made to put a stop to it, either by enforcing the Insurrection Act, or by resorting to the means furnished by the ordinary law. Scarcely any thing was done with a view to the restoration of tranquillity until after the murder of Mr. Blood,—which, evidently, was perpetrated for the purposes of robbery. At about that period, a motion was brought forward in that House by Mr. Smith O'Brien then (member for Ennis), for the enforcement of the Insurrection Act. Upon that Motion a debate arose, in which the cause of the disturbances was imputed to the landlords. It was said, that the landlords of that county were very extensive holders of land, and were anxious to form large grazing farms. The peasantry were, in many instances, driven from their cottages; and being in a state of desperation, without the means of subsistence, they committed outrages. That was the true state of the case; and the only matter of regret was, that steps were not immediately taken to remedy them. A general election then took place, and a number of gentlemen connected with that part of the country had meetings with the peasantry, with the view to induce them to abstain from these disturbances. Among those who were most active on the occasion, was that much calumniated individual, with whom the hon. and learned member for Bath had been compared; and much as that individual had been belied and slandered (although he occasionally made use of strong language), there never was a man more entirely devoted to the best interests of the Irish peasantry—nor one more anxious to put a stop to the frightful system of prædial agitation. Mr. Steele induced a great number of the peasantry of the county of Clare to bring their arms in; and his exertions contributed to the restoration of tranquillity. At that time the people were induced to promise to give up their arms. A few days after, a communication was received at Ennis, that the peasantry of six parishes would deposit their arms at a certain place, in the course of a few days; and that this would be followed, a few days afterwards, by the surrender of the arms of all the other parishes. Within two days of this, intelligence was received that the Lord-lieutenant was coming down. The Lord-lieutenant entered the county the next day. On this being made known to the peasantry, they said that they should prefer surrendering their arms to the Lord-lieutenant rather than to any other person; declaring that they were willing to lay them down at his feet. The reply they received from that nobleman was, "Do not give up your arms." He did not make this statement on his own authority, but he had been assured that the Lord-lieutenant said: "Do not give up your arms till your grievances are redressed." He was willing to undertake to produce individuals who were present when this language was employed. The peasantry, on being urged to give up their arms, said that they had been told by the Lord-lieutenant to keep their arms; and that they were determined to retain them until he required them. About three weeks or a month after this, a party of soldiers and police were sent down, to prevent a local disturbance, a conflict ensued, and the soldiers were ordered to retreat. Serjeant Robinson endeavoured to prevent their being pursued, and kept the assailants at bay for some time; but at last he fell a victim to his own gallantry. The death of this gallant soldier caused general regret; and within three weeks afterwards, a large military force was marched into the county, and the peasantry were slaughtered at noonday, on the public roads, even when no resistance was offered. In a very short time after this, a Special Commission was sent down, and tranquillity was restored. The circumstance which he had mentioned would sufficiently account for 7,000 troops being in Clare at the time of the Special Commission. He was glad that the hon. Gentleman had afforded him an opportunity of explaining the real state of the case. He would not trespass further on the time of the House, than once more to enter his solemn protest against this odious and tyrannical measure.

Mr. *Lamont* supported the Bill. He had been in the army, and had some experience of Courts-martial. He was sure, that the Courts-martial in Ireland in 1797, and following years, behaved with great moderation, and the strictest justice. He was convinced, that the state of Ireland called for additional powers, and, therefore, he would vote for the Bill.

Mr. *Hume* rose to reply to some observations of the hon. member for St. Alban's. The hon. Member had pronounced the speech which he had evidently prepared, and which he had probably practised before the glass, with a degree of assurance [*cries of* " Order "]—yes, he would repeat it, with a degree of assurance—nay, he would go further, although, perhaps, the noble Lord, who had called him to order, might term that assurance modesty. In the language, then, of the noble Lord, he could only assure the House, that a more modest, well-looking, well-behaved Gentleman, performing his part with modest confidence, he had never seen. The hon. Member had taunted him, but he could assure the hon. Member, that if there was any part of his conduct which he did not regret, it was assisting to bring the present Ministers into office, however much they had disappointed him; and if he were favoured with the good opinion of the populace, as the hon. member for St. Alban's was pleased to call the people, it was, perhaps, because he always supported what he considered a good cause; and did not, like that hon. Member, call the same instrument at one time good, and at another bad, as it suited his purpose. Recollecting the use of the pronouns "we" and "our" in the hon. Member's speech, he feared that he had been set on to make the attack which he had made upon the people by some of those who were near him. He (Mr. Hume) had never listened to a speech so full of imputations against the people; and of reproaches against them for daring to interfere in matters, in which, nevertheless, they were deeply concerned. The hon. Member talked of barbers, curriers, and so forth. Were not the right hon. member for Tamworth, and the noble Lord, the Chancellor of the Exchequer, Merchant Tailors? Were not the First Lord of the Treasury, and the noble and learned Lord on the Woolsack, and their humble servant, Fishmongers? How could the hon. Gentleman treat in such a manner assemblies including such men as the First Lord of the Treasury, the noble Lord, the Chancellor of the Exchequer, the Lord Chancellor, or the noble Lord, the member for Devonshire? Were the Fishmongers, or the Merchant Tailors of England, with the noble Duke, the conqueror of Waterloo, at their head, fit subjects for abuse? Was the hon. Member justified in throwing out his sarcasms against the people of England, because they appealed against a measure which took away from the people of Ireland the Trial by Jury, the *Habeas Corpus*, and all the other constitutional securities of civil life? If the hon. Member thought that the people of England could view such a proceeding with indifference, much less with approbation, he (Mr. Hume) could not go along with him. He thought, that the hon. Member maligned the people of England; and he was confirmed in that opinion when he saw laid on the Table above 650 petitions against the measure, signed by above 600,000 persons. It was impossible that the people of England could view with indifference a proceeding which took away the liberties of the inhabitants of any portion of the empire; knowing, as they must know, that it was only a prelude to a similar proceeding with reference to this country, if any Minister could be found bold enough to propose it. They had not even the tyrant's plea of necessity for such a Bill; for the right hon. Gentleman who had introduced the Bill, had been compelled to change his ground; having, in the first instance, alleged the difficulty of obtaining Jurymen as a cause for it, until it appeared at the Assizes that there was no difficulty of the kind. In his opinion, the measure had completely damnified the present Ministers; and he was convinced, that, unless they retraced their steps, the time was not far distant when they would find that such was the case. Although he had no hope that the division would be adverse to the Bill, he had been desirous of giving it this last kick. He had sat night by night with his Majesty's present Ministers when they opposed the celebrated Six Acts; and it was a melancholy thing now to see them introducing a measure which was a very much greater violation of the Constitution.

Mr. *Ward* hoped the House would hear one word from him in explanation, the more especially as the hon. member for Middlesex had accused him of maligning—he believed that was the word—the petitions of the people. He certainly did not possess the advantages of a practised speaker, like that hon. Member, and before such an exquisite glass, too, as that hon. Member must employ. He had been misunderstood: he rose to explain that misunderstanding; and ready as he would be to afford any other Gentleman a hearing under such circumstances, he was sure the House would not deny it to him on the present occasion. He had not maligned the petitions of the people; what he had done was this, and he was sure the House would bear him out in the correctness of the statement—he had drawn a broad distinction between the real *bonâ fide* petitions of the people—such as the general petition from the city of Dublin, which was entitled to the utmost respect, attention, and consideration on the part of the House—and those other petitions which had been got up in Dublin through a system of multiplying petitions like that resorted to by the ingenuity of the hon. and learned member for Dublin.

Mr. *Dominick Browne*, as an independent Irish Member, regretted very much that he felt himself bound to give his consent to this measure, though nothing but its indispensable necessity could induce him to do so. Peace, however, would never be produced in Ireland by such a measure as this, unless it was accompanied by remedial measures, and by remedial measures, too, going to a much further extent than any, he feared, that his Majesty's Ministers would dare to bring forward, or that the House would be prepared to receive. Since the Union many of the grievances of Ireland had been done away with, but two great and prominent grievances remained. One was the existence of a Church establishment for a small minority, and the other was the non-existence of an establishment for the great majority of the population of Ireland. Those grievances should be remedied. But even if all political evils should be removed, there would still remain a still greater one, and that was, that there were 2,000,000 of the people of Ireland without the means of employment. How were they to deal with that evil? Even supposing that the hon. member for Dublin should carry all those measures from which he so lavishly promised regeneration to Ireland, that great and crying evil would still remain to stare him in the face. The only plans that he had ever heard proposed for the removal of this evil of an unemployed population were the introduction of Poor-laws, the improvement of waste lands, and the adoption of a system of emigration upon a large scale; and he was quite certain, that, unless his Majesty's Ministers should carry into effect those three measures to a great extent, there would be no peace in Ireland.

Mr. *Peter* spoke to the following effect:—Notwithstanding the denunciations of the hon. member for Middlesex, I rise to give my support to the Bill now before this House; and I do so, because I consider it to be not less just than necessary—not less calculated to protect the innocent than to coerce the guilty—not less essential to the present peace and security of Ireland, than to the future interests—to the future freedom and welfare, of the whole united empire. Sir, one of the errors into which I conceive the hon. Member, and many who have preceded him in this debate, have fallen, is that of supposing it possible, at the present moment, and, under existing circumstances, to govern Ireland like a free country. Indeed, I might say, that it is one of the errors of our times to misapply general principles — to consider maxims, which may be true in one country, as equally applicable to all others, however differing in their moral and physical situation. When a people are high in morals and intelligence—when there is, as in the United States of America, a great safety-valve for all bad passions arising from pressure of population—when property is not predominantly in a few hands—when the hope of getting a full share by industry and perseverance, is far stronger than any vague speculations of spoliation and violence — when it is every man's interest, plainly pressed upon his senses, to keep what he has got, and to inculcate the inviolability of property—when things are in this happy state, how different, how light is the task of legislation compared to the duty which we are now called upon to perform—the duty of legislating for a compressed and overburthened population like that of Ireland—of legislating for a country, where prescription and accumulation and privilege have appropriated so much in so many ways—where the multitude have nothing to lose, and may be persuaded that they have a right and a chance to gain;—it is here that legislation becomes a nice, a painful, and difficult matter — depending not upon general principles, abstractedly taken, but on their well-balanced and judicious modification, according to the peculiar circumstances of the case.

Sir, with respect to the measure now before this House, I admit it to be one of stern aspect and arbitrary character; I admit it to be one which nothing but necessity, the last necessity, can justify. So far I agree with the hon. Members opposite; but when they speak of it as a measure subversive of all liberty—when they speak of it as a measure destructive of all rights—I ask them where that liberty is—where those rights are to be found, which it is pretended that this measure will destroy? Gentlemen may declaim about public meetings and free discussion; but I reply, that, to any purpose of liberty or good government, they no longer exist; agitation has extinguished their voice. Gentlemen may talk of Trial by Jury; but in how many instances has intimidation either paralyzed or perverted its powers? Gentlemen may harangue about rights, and life, and property; but incendiarism, and rapine, and murder have levelled or endangered all. Sir, I love liberty—I abhor despotism—but this is not a question of either. It is a question of order or disorder—of law or no law—of government or no government. And surely almost any government is better than none. The sternest despot cannot be worse than the factious agitators—than the petty tyrants — than the blood-stained banditti—who now usurp the land. Let us, then, be no longer deluded by words—let not the despotism of numbers be mistaken for liberty—let not, (if I may speak in the language of an illustrious philosopher and historian, once an ornament of this House) let not "the immortal daughter of reason, of justice, and of God, be confounded with the spurious abortions that have usurped her name."

Sir, it has been urged by the hon. member for Beverley, that no case has been made out by his Majesty's Ministers for the proposed measure—that there has been no evidence, at least, no satisfactory evidence, of facts, to prove the necessity of the powers now called for. What, Sir, I ask that hon. Gentleman, is the notoriety — the noonday notoriety — of facts nothing? Is the Report of the Committee, now lying on the Table of this House, nothing? Is the statement — the unrefuted statement — of the right hon. Secretary for Ireland, nothing? Is the authority of so many Lieutenants and Magistrates of counties, nothing? Is all we hear, and all we see, and all we know, to pass for nothing? Gentlemen, indeed, may affirm, that all is quiet here, or, that all is quiet there—that disorder is ceasing in the south, or, that it has not existed in the north; but has any one attempted, will any one attempt, to deny, that there are whole counties, that there are wide and populous districts, where disorder does prevail, where it prevails to the most fearful, the most deadly extent; where no laws are sacred—no property respected — no life secure; where arson, and murder, and robbery, and malicious outrage are of daily, of nightly, of hourly, occurrence — are perpetrated with impunity — ay, with impunity, and triumph, and reward? But why, it has been asked, why may not these outrages be put down in Ireland, by the same means which have succeeded in England? Why may not the atrocities, now raging in Kilkenny, and Queen's County, be suppressed by the strong arm of existing authority, as was done in Hampshire, and Bristol, and Nottingham? Sir, I reply, that those means have been tried, but tried in vain; the ordinary powers of the law have been exhausted, but without effect. Even during the sitting of the last Special Commission in Queen's County crime continued as rife as ever. During the fortnight whilst that Commission was sitting, twenty-seven outrages, of the most daring and revolting nature, were perpetrated in that county alone. During the following fortnight outrages were still more numerous. If at any subsequent period, there has been anything like cessation of crime—if there has been anything like a little interval of tranquillity—yet it has been partial, and momentary, and deceitful, and only prelusive of deeper plots and better organized insurrection. We are now told, indeed, of a better state of things—of the decrease of crime—of the attendance of witnesses and Jurors—of the conviction of offenders. Sir, I have no confidence in this sudden change. It is all hollow, and fallacious, and pretended. It is not (if I may so express myself)—it is not the returning calm; it is but the pause, the awful pause, of the blast, whilst the storm is recovering breath, and collecting itself for fiercer efforts and more sweeping destruction. Sir, I know that convictions have taken place—I know that many offenders have been brought to punishment; but in how few cases, as contrasted with the number of offences perpetrated. And, now that they have been brought to justice, what is the consequence? What is the fate of the unhappy witnesses by whose testimony they have been convicted? They are forced to quit their country. Of the witnesses who gave evidence before the Special Commission at Maryborough, last year, no less than twenty-six were compelled, with their families, to abandon Ireland, whilst twenty-two more have remained under constabulary safeguard for protection from nightly attack. A similar fate, I fear, awaits those who, in the performance of their duty, have given evidence at Wexford, and other places, during the late Assizes. They, too, must incur the same cruel penalty—they, too, must compound for their lives by a long exile from their native land. And is this a state of things to be endured? Is this the liberty about which agitators declaim? Are these the rights which they have organized their Volunteers to defend—which they tell us they would lay down their lives—which they would pour out their heart's blood to transmit unimpaired to posterity? Sir, they may call this freedom, but I call it anarchy—they may name it liberty, but I consider it as the most cruel, the most degrading of despotisms—

They bawl for freedom, in their senseless mood,
  But still revolt, when truth would set them free;
License they mean, when they cry liberty,
  For who loves that must first be wise and good.

But, Sir, to revert to the measure now before the House. The Bill has been justly described as having two objects in view—the one to restrain political, the other to suppress prædial agitation; whilst the one is to put down all associations and meetings endangering the public peace, and inconsistent with the due administration of the law—associations which, even according to the showing of their own advocates, can answer no one legitimate or useful purpose, which are only calculated to agitate and inflame, and which, though not the original, are at least a proximate and contributory cause of local evil. Whilst this is one object of the Bill, the other is to disarm and put down those banded ruffians that now infest the land, acting in defiance of all law, violating all rights of person and property, and deterring, under threats of instant death—deterring prosecutors, witnesses—aye, and, in many cases, jurors from coming forward in discharge of their respective duties, and thus rendering the law almost a dead letter, and nearly nugatory and inoperative for all purposes of protection and good government. These, Sir, are the objects of the Bill, and legitimate and praiseworthy objects they are. Against one clause, indeed, of the measure—against that, constituting military tribunals for the trial of these offences, I had originally a very strong prejudice. That prejudice—that repugnance, however, I am bound to say, has been, at least, very much mitigated, if not altogether removed by the alterations to which his Majesty's Ministers have consented in the Committee—by the withdrawal of all political offences from military jurisdiction—by the substitution of staff and field officers in the place of juniors—by preventing all officers of the district, and who may have been engaged in conflict with the insurgents, from sitting in judgment on them—by the appointment of King's Counsel and experienced barristers as Judge Advocates of such Courts-martial—and, finally, by the submission of every sentence, before it can be carried into execution, to the revisionary judgment and confirmation of the Lord-lieutenant or Chief Governor of Ireland. These are alterations, which I rejoice at having seen introduced, and which, without impairing the efficiency of the measure, will, in a great degree, I trust, guard against those abuses to which all discretionary power is, more or less, liable, even under the best rulers.

Sir, when the hon. member for Waterford and other Gentlemen talk of this measure as annihilating the liberties, as extinguishing the light of Ireland, for ever, let them recollect that the Bill proposed is a temporary one—a temporary measure for a temporary purpose—that it is equally limited in point of extent and duration, being confined to disturbed districts, and restricted to continue in force for little more than twelve months. I say this from no wish to depreciate the importance, or to detract from the arbitrary character of the measure —a measure which, I repeat, nothing but necessity can justify. But when Gentlemen complain of the hardships inflicted on Ireland by the present Bill—whilst they are dwelling on the miseries to which they tell us she will be subjected by military law—let them for a moment reverse the picture, and look at Ireland as she now is. Let them look at her actual condition while we are speaking—at her desolation, her wretchedness, her despair—without law—without protection—a prey to rapine, lust, and murder; let them look at her unoffending inhabitants, hundreds of them driven out from their once cheerful but now extinguished hearths, and seeking, amongst distant strangers, that asylum which they can no longer hope to find in the land of their fathers; let them behold others again, amongst her peasantry and little farmers—men, whose only wish was to be permitted to live in peace, and to bring up their families in their own honest and industrious habits; let them look at these unhappy men, living, as they are now compelled to do, in perpetual anxiety and alarm—exposed at home to the brand of the midnight incendiary or assassin, or else flying with their half-famished families—flying, perhaps, by the conflagration of their own cabins, into woods and caverns for shelter from their relentless foes; and all this, for no other reason, than because they have obeyed the laws—because they have refused to conform to some arbitrary rule imposed upon them in defiance of all justice. Sir, it is for these men that I would plead—it is for the poor, the destitute, the innocent, and the oppressed, that I would implore the pity—that I would invoke the justice, the aid, the protection —of a British Parliament.

Sir, I will trouble the House very little longer. That this Bill will prove anything like a permanent remedy for the evils which afflict Ireland, no one has been so absurd as to pretend. Neither Vestry Bills nor Grand Jury Acts, nor Church Reforms, nor Tithe-Redemption Laws, beneficial as they may prove, can repair the accumulated wrongs of ages. Were tithes to be extinguished to morrow—were they to be transferred by a Resolution of the House of Commons (like the Agistment Tithes in 1735) from the pockets of the clergy into those of the landlords—they would not heal—they would not pour balm into the wounds of that distracted country. There are other ills, and many of them beyond the reach of legislation, which must be mitigated or removed, before Ireland can become a tranquil and happy country. Sir, the relation between landlord and tenant must be improved; the sympathy and kind feelings between different classes of society must be cultivated and increased, and above all, the condition of the peasant must be bettered—yes, his condition, physical as well as moral, must be improved—his standard of comfort must be raised—he must be taught to respect himself—he must have something to hope, something to fear, something to live for. Until this be in some degree effected, it will be in vain to look for anything like permanent tranquillity and happiness in Ireland. The peasant will continue in his present demoralized and degraded state—reckless and desperate—the slave of lawless habits and fierce passions—ripe for all evil—and ready alike to league with the midnight robber and assassin, or to become the blind instrument of every factious demagogue and radical declaimer.

Amongst the legislative remedies which ought to be introduced into Ireland, a provision for the poor should be one. Ireland must, sooner or later, have Poor-laws —modified indeed, and differing, in many respects, from ours; but still I do not hesitate to say, that she must, sooner or later, have Poor-laws. Perhaps, too, a labour-rate, somewhat similar to that which has been tried with so much success in some parts of England, might be productive of equal benefit in Ireland. For, after all, I believe that the young and able-bodied stand more frequently in need of assistance, from want of employment, than even the old and infirm, who are for the most part provided for by their own relatives. The Irish are a warm-hearted people—with all their failings they have, at least, this good quality—of being kind and compassionate to age and infirmity; and my only fear with respect to the Poor-laws is, lest they should in any way weaken or extinguish this virtue. But these, Sir, are subjects of future and deeper consideration.

In the mean time, the first step towards amelioration in Ireland—the first advance towards a better order of things, in that long-agitated country, is present peace—is the protection of person and property. Until this be, in some degree, effected, all remedies must be worse than useless—all benefits will be applied in vain. Sir, whatever the hon. member for Dublin may allege to the contrary, Ireland, I rejoice in believing, is, at length, possessed of what she has so rarely enjoyed—a liberal and enlightened Government—a Government, anxious, and I hope, able to investigate her grievances and to repair her wrongs. Let us not then impede their efforts—let us not frustrate their designs by idle projects and intemperate and uncompromising demands. Instead of stickling for rights, which, under existing circumstances, cannot be enjoyed—instead of declaiming about liberty, which does not, which, in the present state of Ireland, cannot exist, let us rather unite and assist in clearing the ground, and in preparing the way for their future establishment. Instead (however indirectly or remotely)—instead of encouraging agitation and lending countenance to crime, let us aid in extinguishing both, and in establishing that state of peace, that state of law, security, and order, without which Government is a shadow, and liberty but a name.

Mr. *Bellew* knew the House was weary of the subject; but as he had never trespassed upon their attention before, he hoped they would listen to him for a few minutes. He did not deny that Ireland was in a state of partial disorganization; but he maintained that to agree to such a Bill was not the way to restore it to order. It was most unfair that Irish Members should be trodden upon and ridden down by that House on account of their opposition to the present Bill, and that it should be said that that opposition proceeded from out-of-doors excitement. In his opinion his Majesty's Government had not made out a case to prove in any way the necessity of that measure. He did not deny that there had been murders, burnings, and robberies; but Englishmen, who had not been present at the trials in Ireland, could not be aware of the misrepresentations—he believed them unintentional—which ran through the whole of the statements of his Majesty's Ministers. The representations given to Government respecting the state of Ireland were all tinctured by party spirit and rancour, which infected the highest as well as the lowest classes in that country. For example, the county of Louth with which he was well acquainted was said to be disturbed, but the fact was, that the disposition to disturbance which had shown itself was speedily repressed by the police. It was not perfectly tranquil but it was in no state to warrant such a law as this. He knew that the ordinary law was sufficient to repress outrages, and when he considered the character of the parties to whom the execution of the new law was to be intrusted, he was sure it must fail. The Bill would have no other effect than to increase the rancour which already existed between the upper and lower classes in Ireland. He had opposed it at every previous stage, and he should certainly now vote against the third reading.

Sir *John Tyrrell* said, that he chiefly rose for the purpose of stating his surprise that the members of his Majesty's Government should have sat silent under the accusation made against them by the hon. and learned member for Tralee. That accusation was, that at a time when their remaining in office was doubtful, they had recommended the agitation of Political Unions throughout the country. He hoped that his Majesty's Ministers would not allow that debate to close before they gave a distinct disavowal to the charge made against them. Though he had opposed the remedial measures proposed by Ministers towards Ireland, still he hoped that the good sense of the Irish people would make them be satisfied with those measures, and that they would be unanimously supported by the Irish Members of the House.

Mr. *Edward Ruthven* said, that as an Irishman he would vote against this peculiar act of oppression and aggression against his country. As a Member of the House of Commons, he entered his solemn protest against it, as an innovation upon the Constitution, which ought to be dear to every man in the country. At that late hour of the debate, he would do nothing more than protest most solemnly against this crying innovation of the Constitution contemplated by Government in wishing to pass the present atrocious measure.

Mr. *O'Connell* said, that when he before addressed the House on the principle of the Bill, he promised them a long speech, and he thought that he had at least kept that promise. He would now make another promise which he was determined to keep also; namely, that he would address them as briefly as possible—as briefly as the importance of the subject demanded. He did not rise to fawn or cringe to that House—he did not rise to supplicate it to be merciful towards that nation to which he belonged—towards that nation which, though subject to England, yet was distinct from it. It was a distinct nation—it was treated as such by this country as would be proved by history, and by 700 years of tyranny. He called upon that House, as they valued the liberty of England, not to pass this atrocious, this audacious Bill, which, though it had received some improvements since it left the other House, where it had been supported by the Lord Chancellor; though the press had been left safe, and many of its original horrors had been mitigated, yet was still atrocious enough to justify him in calling upon the House not to insult the Irish nation by putting down their right of petition, and by treating crime, not by the ordinary process of law, but by opposing crime to crime, and revenge against revenge. There were still clauses in the Bill which put down the right of petitioning—which put down political agitation—which made them both offences, not punishable by the ordinary tribunals, but by what, for want of another name, he would call revolutionary tribunals. He had hoped that the discussion upon the present occasion would have passed over without any of the degrading personalities which were introduced into the debates in previous stages of the Bill, commenced he thought by the right hon. Gentleman, the late Secretary for Ireland, the extent of whose talents no man was less disposed to deny than he was, but whose absence from the House prevented him from saying what he should otherwise wish to say. The hon. member for St. Alban's, however, had proved that there might be personalities, even in the absence of the right hon. Gentleman. He had taken up the situation of accuser-general of those who differed from himself—the accomplished member for St. Alban's. If, indeed, any political Narcissus, in love with himself, were disposed to get up here and gibe and jeer, and taunt at those who differed from him, he should not complain of the conceit which misled him, provided his statements were true. But the hon. member for St. Alban's had contrived to mix up with his gibes and his jeers some little inaccuracies which were very convenient for his arguments. The hon. Member had stated that there had been only fifty petitions sent to that House by the English people against the present coercive measure. There had been 470; and it was surprising that there were so many, since the leading English Press had been either shamefully silent, or brutally hostile on that measure. What wonder was it then that its case should have produced but little effect upon the people of England? The Bill was divided into two great parts; the one was to extinguish political agitation, and the other to do away with predial agitation. Melancholy facts proved, unfortunately, that the latter required a remedy; but as to the former, no case was made out that the part of the Bill which related to it was necessary. Against that part of the Bill he protested, in the name of the Irish people, and in the face of Heaven. He protested against the power granted to the Lord-lieutenant to prevent meetings, no matter for what purpose they might be convened. All he asked for his country was justice; and as long as the present Government were unjust towards her, he laughed to scorn their promised generosity. Why he strenuously objected to the power granted to the Lord-lieutenant to prevent meetings was, that there were grievances to be redressed in his country, and that one of the ways to remedy them was by petitions, emanating from large assemblies. He would ask any one to say, that there were not grievances in Ireland, and that it was not a suffering country more than any other. No one could say so; and no one could deny that, if ever a country required political agitation, it was the country to which he belonged. He had another question to ask. Could any one point out a single instance in which the Irish, in their agitation, had made mention of a single grievance which did not exist, or in which they even exaggerated any grievance? He was sure that no one could. If they put down agitation, they would extinguish the very principle of the Constitution—a principle he admitted which might be carried too far, which had been carried too far—which brought one Monarch to the scaffold, and drove another from the country. If their country had not been oppressed—if she had not been betrayed and misgoverned, she would never have complained, nor would he and others ever have agitated. Ministers had professed much, and promised much for Ireland, but they had done nothing, literally nothing, for her. To be sure the Irish Reform Bill followed in the train of the English one, but it was of a very different character, being narrow, insufficient, and oligarchical, raising the price of freedom five-fold over this country. What other measures could the Ministers point to? Not one. And yet Ireland had grievances, even the right hon. Gentleman had admitted that, and one of its chief grievances at present was an Administration which had deceived it. They had made great promises to the people of Ireland, but they had done nothing for its benefit. That people laboured under great grievances—what ought to be done to relieve them? To allow them to meet peaceably and to petition for their removal, and so to obtain the confidence even of their most disturbed districts. He exclaimed against the injustice, he abominated the calumny, he treated with scorn in an assembly of freemen the assertion, that the language used at public meetings in Ireland was two strong and bold. This was the language which Lord Castlereagh applied to the petitions of the people of England, when he sought to gag them with the Six Acts. This was the language which tyrants always used when they wished to varnish over the oppressions which extracted the groans and lamentations of tormented millions. If the grievance was real, the terms in which they depicted it could not be too bold—if the suffering which it caused was passed endurance, the terms in which they described the manner in which it made the iron to pierce into the soul could not be too violent. He had now done with his objections to the first part of this Bill;—he now came to the second part of it, which contained two frightful clauses. One of them instituted courts, which, for want of a better name, Ministers had been pleased to call Courts-martial. Courts-martial they were not; they were, as he had styled them, revolutionary tribunals. But what signified the name by which they were called, when the country was compelled to bear the frightful thing? The clause appointing them annihilated the Trial by Jury—drove from the bench the Judge who had been taught by long experience to distinguish what was evidence from what was not—turned out of the box those whom the accused might challenge, even if their countenances displeased him, got rid of the forms which were established for the protection of innocence, and of those sanctions which were instituted to prevent even guilt from being unjustly convicted, and in their stead erected a new tribunal of five or six military officers selected at the arbitrary discretion of the Crown. Such men—he spoke of them in their judicial capacity alone, for in their private capacity he did not mean to impeach their honour and integrity—such men had not either the education, the habits, the patience, or the assiduity which were required of Judges. They did away with that which was more sacred than the Throne itself; for which their King reigned, their Lords deliberated, their Commons assembled. All this was done that five or six officers might usurp the functions of the Judges of the land—might annihilate the protection which Juries gave to innocence, and attempt to unravel the mysteries and administer the provisions of several complicated Acts of Parliament. He had never yet been satisfied with the decision of any Court-martial he had seen. That might be his bad taste; but he would even go further, and state, that he had never been satisfied with the decision of military men when acting upon other tribunals. That might be bad taste also; but it was his opinion, and, therefore, he was bound to state it. He therefore, asked every honest Englishman who heard him, not to hand over the people of Ireland to these mongrel pseudo-military tribunals, which were called Courts-martial, but were so in nothing but the name. What evidence had been submitted to their consideration to justify them in establishing these revolutionary tribunals? First, there was a red box; then, to make the evidence stronger, there were ten or eleven anonymous letters; and, last of all, to crown the climax, there was a vulgar ballad. Would they, upon such evidence, annihilate the Trial by Jury? This Court-martial clause was accompanied by another, which gave the most unprecedented indemnity to every military man who acted upon it; for if he was guilty of outrage in the execution of it, he could only be punished by Court-martial; and if he left the army before the Court-martial was summoned, he could not be punished even by that. As to putting down predial agitation, he had himself suggested a clause by which it could have been put down legally, and by which your constitutional law would have been made stronger than it was at present. But that clause they had refused, because it came from him—from him who had twice the anxiety which they had to put down disturbance and outrage. This was not the way Ireland ought to be treated, to be merely co-equal in name. He prayed to his God that when repeal came—and come it now must, they could never stay it, they could not even hope to do so—that it might come through peaceful agency, and not through oceans of blood. If ever he had doubted before of its success, that Bill—that infamous Bill—the way in which it had been received by the House—the manner in which its opponents had been treated—the personalities they had been subjected to—the yells his hon. friend the member for Kildare had that night been greeted with—yells not fit for any assembly where decency was thought of—all these things dissipated his doubts, and told him of its complete and early triumph. Did they think those yells would be forgotten—did they suppose their echo would not reach the plains of his injured and insulted country—that they would not be whispered in her green vallies, and heard from her lofty hills? Oh! they would be heard there —yes, and they would not be forgotten too. The youth of Ireland would bound with indignation; they would say, we are eight millions, and you treat us thus, as though we were no more to your country than the isle of Guernsey, or of Jersey. He had been all his life opposed to a certain party in that House. He had contended with them for years. He would not contend with them again, or if he did, it should not be in hostility. He appealed to them now. They had a deeper interest in their native land than in that of party, and they must feel that there was nothing so prejudicial—so mischievous—so distressing, as those bad passions between man and man. The rulers of England thought that they might oppress Ireland because her people were divided among themselves. Separated they indeed were; but let them once become united, as he trusted they would soon be, and they would tell those who talked to them about the generosity and kindness of England, that it was not generosity and kindness which they wanted, but equality and justice. They would say to the Ministers of England, "Govern your own beautiful country as you please—legislate for Britain wisely and well—but we Irishmen, bearing allegiance to a common King, and living under a common Constitution, will legislate for ourselves." Government might depend upon it, that they were not putting down but strengthening the cry for the Repeal of the Union by these coercive measures; that they were not retarding but accelerating the progress of Ireland to that great act of justice of which he was the humble advocate, and that they were adding energy to the demands of the people, by refusing to hear them when calmly and dispassionately urged, and by sneering at the barbers of Galway and the uncouth names of Irish parishes, as if the people of Ireland were their subjects and not their coequals. He repeated, that the people of Ireland were not 8,000,000 at present, because they were divided; but they would be 8,000,000 when they had done with the fears of some and the prejudices of others. He had now performed his duty—he stood acquitted to his conscience and his country—he had opposed this measure throughout, and he now protested against it as harsh, oppressive, uncalled for, unjust—as establishing an infamous precedent by retaliating crime against crime—as tyrannous—cruelly and vindictively tyrannous. In the name of his country he asked for justice. If the Bill were passed, in Heaven's name let no man talk again of the Union between the two countries. Where was the Union now? In that House there were 105 Members from Ireland, 543 from England and Scotland, many of the latter joining in sympathy with the Representatives of Ireland, but overwhelmed by a powerful majority, which did not scruple, from its confidence in Ministers, to perpetrate upon Ireland a monstrous injustice. He had done, he repeated, his duty upon this occasion to his country. He had called for inquiry—that inquiry which England had never instituted before she inflicted punishment upon Ireland. He had implored the House for investigation; that investigation had been hitherto refused. It was not yet too late to afford it to the demands of Ireland. He therefore once more entreated the Government to pause whilst it was yet upon the threshold, and to halt in its career whilst it was yet time. Give us inquiry, and all may yet be well; but refuse us inquiry, and then see what a conciliatory Government you are.

Lord *Althorp* said, that before he replied to the speech of the hon. and learned Member who had just sat down, he must take the liberty of contradicting the statement made by the hon. member for Tralee, and of assuring the hon. Member, that as far as his own knowledge went, the hon. Member must have been misinformed. The hon. member for Waterford had quoted the decisions of the Juries at the late assizes as a proof that measures of coercion were not required in Ireland. Now, he would ask that hon. Member, whether crime had diminished in Ireland in consequence of those decisions or not? He was sorry to say, that the amount of crime continued as great as ever, and that day after day fresh accounts were brought to Government of outrages committed and atrocities perpetrated. The hon. Gentleman had stated on a former night, as a proof of the good disposition of the people of Waterford, that 500 of the peasantry had brought in as prisoners the murderers of Mr. Leonard. On that point, he was sorry to say, that the hon. Member was misinformed. He had himself received a letter from the High Sheriff of Waterford, stating that a large number of persons had come in with the funeral of Mr. Leonard, and that at that funeral the accused were arrested by the police, so that there was evidently amongst them a want of that horror which ought to have existed at such an atrocious crime. He would also remind the House, that one of the witnesses had been asked who it was that the accused went out to murder. He said that he did not know exactly, but it was either Mr. Leonard or some one of four other gentlemen, whose names he mentioned. He did not know which of the five was to be murdered on that occasion; he merely knew that one of them was to be murdered —a circumstance which proved that all the five were marked out for murder, though he could not tell which of them was to suffer first. This proved a degree of atrocity in the murder of Mr. Leonard which it was difficult to have anticipated, and almost impossible to believe, even after it was proved. He now came to the speech of the hon. and learned member for Dublin; and here he would acknowledge, that before that speech there had been much of irrelevant argument, and but little of discussion on the Bill. The hon. and learned Gentleman said, that the Bill, as it now stood before the House, had been mitigated in much of its original atrocity, but that it still retained sufficient atrocity to compel him to oppose it. If by atrocity the hon. and learned Gentleman meant that the Bill was now as effective as it was when it first came into the House, he (Lord Althorp) fully agreed with him; for though they had altered many of its clauses, he denied that the Bill was now less effective than it was originally. "But, then," said the hon. and learned Gentleman, "is it not disgraceful that you should permit these alterations to be made?" Now, what would the hon. and learned Gentleman have said to Ministers if, after listening to the arguments and suggestions of the House, they had not availed themselves of them to remove from the Bill any enactments more violent than was necessary to effect the objects contemplated by the Bill? He, however, had been accustomed to this species of attack. During the last two Sessions in which the Reform Bill had been before the House, Ministers had been perpetually taunted for the alterations which they had consented to make in it, even by those who had proposed the alterations. He was therefore not surprised at being again exposed to this species of attack, though he was surprised that the hon. and learned Gentleman who made it should have followed the example of those whom, on other occasions, he was accustomed to despise. The hon. and learned Gentleman had also attacked his right hon. friend, the late Secretary for Ireland, now that he was not in the House to defend himself, for introducing personalities into the debate. Now, it did appear to him, that the hon. and learned Gentleman was not exactly the sort of person to make such an accusation. He (Lord Althorp) would not say more, lest he should fall into those personalities which he was so anxious on all occasions to avoid. The hon. and learned Gentleman had then proceeded to divide his objections to the Bill into two classes, one applying to political agitation, and the other to the predial outrages. The hon. and learned Gentleman said, that that part of the Bill which applied to political meetings, and prevented the recurrence of those meetings which distracted Ireland to her very centre, was wholly unnecessary. He must say, that he thought, were he to appeal to the House, and to ask which part of the Bill was the most necessary, he should be answered that it was that part which went to put down that political agitation which was so dangerous to the tranquillity of Ireland. The hon. and learned Gentleman said, that the waters of liberty required agitation; but if they did require perpetual agitation — if freedom could not exist with peace and order, it was not the freedom, or the definition of the freedom, which he had been taught from his youth upwards to love. One of the great merits of liberty—one of its most endearing qualities was, that it provided for the peace and order and happiness of all. Liberty was not that state in which one party only could express its sentiments, in which men who voted according to conscience in their legislative capacity were to be denounced as traitors to the best interests of their country. That was not what he called liberty. Again, the hon. and learned Gentleman had asked what country required agitation so much as Ireland. He would rather ask what country required quiet more? The hon. and learned Gentleman also said, that Ireland had never been injured, save by her own sons. In that position he fully agreed with the hon. and learned Gentleman; and would further add, that it had never been more grievously injured by her own sons than of late years. The hon. and learned Gentleman had also asked, with an air of triumph, "Have I in these late discussions pointed out anything as a grievance which has not been admitted to be such by the general acclamation of the House? Now, there was one grievance, which formed the burthen of all the hon. and learned Gentleman's speech, which was by no means admitted by the general acclamation of the House to be a grievance—he meant the existing union of the two countries. But even admitting that the hon. and learned Gentleman's assertion were correct, had not every Gentleman who had taken share in the late debate, had not the Government itself, admitted that the grievance of Ireland must be forthwith remedied? Agitation might be necessary when a grievance was not admitted to be such, in order to call public attention to its existence; but was that the case at present? That House had admitted the existence of grievances in Ireland, and the necessity of removing them. The Government had done the same; and if the Government did not honestly intend to remove the grievances of Ireland, it would be unworthy the support which it had hitherto received, and which he trusted it would continue to meet, from a Reformed Parliament. The hon. and learned Gentleman had asked, "What measures have the Government introduced for the benefit of Ireland?" The memory of the hon. and learned Gentleman must be very short, or he could not have said, that Ministers had done nothing for the benefit of Ireland, after the approbation which he had recently given to several of their measures. The hon. and learned Gentleman knew well, no man better, that one reason why more measures for the improvement of the condition of Ireland had not been introduced and carried through Parliament was the state of public business for the last two Sessions. One of the evils under which Ireland laboured, and of which the hon. and learned Gentleman had often complained most grievously, was the system of education which had so long prevailed in that country. That evil Ministers had entirely removed. On a former night he (Lord Althorp) had alluded to the Ministerial Amendment to the Sub-letting Act, and the hon. and learned Gentleman had then said, that the evils of the old Act had been removed in a far greater degree than had been previously promised, or than he had ever dared to anticipate. In the present Session too many measures had been introduced by the Government for the benefit of Ireland, of which the hon. and learned Gentleman had cordially approved, and therefore he was surprised to hear the hon. and learned Gentleman ask: "where are your healing measures for my country? These were the arguments of the hon. and learned Gentleman against the first part of the Bill. He rested them all on the necessity of agitation, which he declared to be essential to the peace of Ireland; and then, priding himself on his gratuitous assumption that agitation was necessary, he had gone on to contend that it was unconstitutional and tyrannical to put it down. The hon. and learned Gentleman had likewise said, that there was no connexion between political agitation and prædial outrage. Certainly he (Lord Althorp) did not mean to affirm that the political agitators intended to produce the prædial outrages, but this he did mean to say, that it was impossible for a people to be agitated and irritated upon the subject of grievances, or alleged grievances, without being excited to discontent, and, what was worse, to acts of outrage. The hon. and learned Gentleman had then proceeded to the second part of the Bill, and had contended that it annihilated Trial by Jury. Now, a more monstrous exaggeration than this, it was impossible for any man either to conceive or utter. He agreed with the hon. and learned Member in thinking that it was a great misfortune for a country to be deprived of the benefit of the established laws and of the Trial by Jury; but yet, in his opinion, even that was preferable to the continuance of the present state of disorder and outrage, which was tantamount to the suspension of all law. He entirely concurred in the opinion expressed in a petition signed by the Magistrates and Deputy-lieutenants of the county of Kilkenny, which was presented a few nights ago by a noble friend of his. The petitioners stated, that the measure in contemplation for the suppression of disturbance would be perfect freedom when compared with the lawless despotism at present existing in Ireland. With respect to the assizes held at Kilkenny, the petitioners' statement was in exact conformity with that which he had just made to the House. They stated that they deeply deplored the necessity which existed for severe measures, and that they had hoped that the assizes lately held at Kilkenny, at which vast numbers of audacious offenders were sentenced to transportation, would have had a salutary effect on the misguided disturbers of the peace of the country; but they lamented that such had not turned out to be the case, and that the system of tyrannical and savage oppression still continued unabated, and was directed more particularly against the poor and defenceless inhabitants of the country. This, then, was the opinion of the gentlemen of that county in which the result of the assizes had been quoted as a proof that the present measure was no longer necessary. He thought it unnecessary for him to trouble the House longer—because, in his opinion, it was impossible, after the long debates which had already taken place, to throw any new light on the subject.

Mr. *Barron* said, he wished to say a few words in explanation. He had not made the statement regarding the murder of Mr. Leonard, as mentioned by the noble Lord; what he had said was, that the persons accused of the murder were arrested in the presence of 500 persons, some of whom had assisted the special constables.

Colonel *Verner* begged to say [*loud cries of "Question."*] He wished as the representative of an Irish county, [*"Question"*]. Since the House would not hear him, he would merely say, that Ministers had declared that they would stand or fall by that Bill; and as it had been so much mutilated in passing through the Committee, he thought they ought to resign.

The House divided on the Amendment—Noes 345; Ayes 86: Majority 259.

Bill read a third time and passed.

List of the AYES.

ENGLAND.

Aglionby, Henry A.
Attwood, T.
Bayntun, S. A.
Blandford, Marquess
Brotherton, J.
Bulwer, H. L.
Bulwer, E. L.
Clay, W.
Cobbett, W.
Ewart, Wm.
Faithfull, G.
Fancourt, Major
Feilden, J.
Fryer, R.
Gaskell, D.
Grote, G.
Gully, J.
Hall, B.
Handley, B.
Hawkins, J. H.
Humphery, J.
Hutt, W.
Ingilby, Sir W. B.
Langton, Colonel G.
Molesworth, Sir W.
Palmer, General
Parrott, J.
Philips, M.
Richards, J.
Roebuck, J. A.
Romilly, J.
Romilly, E.
Scholefield, J.
Stormont, Viscount
Strutt, E.
Tennyson, rt. hon. C.
Torrens, Colonel
Turner, W.
Tynte, C. J. K.
Warburton, H.
Wigney, J. N.
Wilks, J.
Williams, Colonel G.

SCOTLAND.

Gillon, Wm. D.
Oswald, R. A.
Oswald, J.
Wallace, R.

IRELAND.

Baldwin, H.
Barron, W.
Barry, G. S.
Bellew, R.
Butler, Hon. P.
Chapman, M. L.
Daly, J.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Fitzsimon, N.
Galwey, J. M.
Grattan, J.
Lalor, P.
Lynch, A. H.
Maclaughlin, L.
Macnamara, Major W.
Martin, J.
Nagle, Sir R.
O'Brien, C.
O'Connell, D.
O'Connell, M.
O'Connell, C.
O'Connell, J.
O'Connell, M.
O'Connor, F.
O'Connor, Don
O'Dwyer, A. C.
O'Reilly, W.
Perrin, L.
Roche, W.
Roche, D.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Sullivan, R.
Talbot, J.
Vigors, N. A.
Walker, C. A.

TELLERS.

Hume, J.
Grattan, H.

Paired off.

Bowes, J. French, F.
Cornish, J. Wood, Alderman.
Dobbin, L.

BOROUGH OF STAFFORD INDEMNITY.] Mr. Ellice moved the Order of the Day for the third reading of this Bill; and, on the Order being read, moved that the Bill be then read a third time.

The Question being put,

Mr. *Wynn* said, that he objected to this Bill. He objected to it in the first place, because no parliamentary ground had been laid for it, that it rested simply upon the allegation of one right hon. Member, and was totally contrary to all precedent. If a general measure were proposed, indemnifying all witnesses who might give evidence of corruption in which they had been engaged, that would be perfectly regular, and recognised by the Statute of George 2nd. But this Bill was not of that nature, nor like that Bill which leave was given to bring in. That was, "To indemnify persons who may give evidence before Parliament, touching bribery in the election of burgesses to serve in Parliament for the borough of Stafford." This Bill indemnified all persons who had been guilty of bribery and corruption at Stafford, whether they gave evidence or not; an Amendment for confining the protection to those who might give evidence, having been negatived in Committee. Further, although one of the Resolutions passed at the beginning of the Session said, "that this House will proceed with the utmost severity against all persons who may have been returned to this House, or have endeavoured to be returned, by bribery," yet in the very first case which came before it, that Resolution was rescinded. It was said, that this was a Bill to punish bribery, but on what grounds could that be said? It was well to be prepared with an answer to that question, for, probably, the House of Lords, as in former cases, would send down a message to know the grounds upon which the Bill was passed. The only answer the House would be able to give would be "the allegation of the hon. member for Coventry." There was no other ground. The House had yet to discover whether bribery existed; which ought to be ascertained before passing an Act to punish it. Was that course likely to check bribery? He doubted it. He was convinced that the severe punishment of the offending individual was more likely to check this offence than the disfranchisement of the borough. What he should desire would be, that a certain number of persons, such as might be necessary to prove bribery, should be indemnified by this Act; and that all others should remain liable to the penalties of that offence. Instead of this, the Act included every person who might have thus offended. He threw no suspicions upon his right hon. friend, (Mr. Ellice) as an individual; but he was lately in office—closely connected with Government—and likely to be in office again. Was it fit that the House should agree at once, without any explanation whatever, but simply upon the allegation of one individual—and that individual connected with the Government—to a measure of this kind? On constitutional grounds, he considered this a measure of too great importance to be passed upon the allegation of a single hon. Member. It had, indeed, been stated that the borough of Stafford was notoriously corrupt, and Mr. Sheridan, in his lifetime, had told many amusing stories about it. He remembered hearing some of those entertaining tales. Mr. Sheridan told them by way of amusement, and fiction was called in to the aid of fact, in order to give embellishment to the story. But surely the table-talk of Mr. Sheridan was not an authority for passing an Act of Parliament! If the House of Lords were to require any statement besides the allegations of his right hon. friend, to sustain this Bill, it would not be wholly satisfactory to inform their Lordships that Mr. Sheridan had also told many amusing stories about the corruption of Stafford. He did not contend that that constituency was not corrupt, but that the Bill ought not to pass without some evidence of that corruption, and which might go down to posterity as a justification of their proceedings. Supposing the Bill to pass that House—whether it passed the other or not—it would constitute a precedent for future proceedings. Future Ministers might not be scrupulous in adopting it, and might say—"Why this House did, on such an occasion, legislate simply upon the representations of an individual, without any proof being required." If there were ground to pass this Bill as a special measure, there was infinitely greater ground to pass it as a general measure. There could be no reason why it should be applied to the borough of Stafford, and not to all other boroughs. If they indemnified the electors of the borough of Stafford, where it was said corruption universally prevailed, how could they, in any instance, when a case of bribery was reported to the House, pass the ordinary resolution, directing the Attorney General to prosecute? In the Report of the Election Committee for the borough of Newry, now before the House, one individual appeared, on evidence, to have been guilty of bribery several times. If he were prosecuted, might he not say—"is it not extremely hard that I should be put in a worse situation than the electors of Stafford? Why is all the vengeance of the law to be raised against me, because I practised corruption in the borough of Newry, and not in the borough of Stafford?" In Stafford, it was stated, that one person had bribed 524 electors out of 526; and a person who had carried on corruption by wholesale ought not to be indemnified against the consequences, except in case of an absolute and over-ruling necessity. Was this such a case? It had not been proved. The indemnification was—"all and every person or persons who may be, or have been, or may have been, implicated or engaged in such alleged bribery and corruption at or connected with any election;" so that the indemnity was not confined to the present election. Two years had not elapsed since the election of 1831. And why were they to throw a shield over persons who might have been guilty of bribery in 1831? They could not give evidence before the Committee of the House of Commons as to that election. The Committee appointed for the 16th of April, was to try the merits of the last election, and not that of any former year. Why, then, he asked, this extensive indemnity? Heretofore, the indemnity had always been limited to the election which was to come under consideration. But the words of the Act were more extensive still. Not only were all persons implicated in any such bribery, who might be examined before the Committee, to be indemnified, but all who might be required to give evidence, were also included. The words were, "all persons, &c. who may have been implicated, &c., 'or' who may be required to give evidence, &c.;" and that "or" must be maintained, it seemed, although such persons might not, in fact, be required to give evidence. By passing this law, they would grant, for all past bribery in the borough of Stafford, a free pardon, without knowing that they should be enabled to pass any other measure to correct it. He should wish to move an Amendment, though he was not sure that he should obtain a seconder for it. It was, however, that the word "or" be omitted, and the word "and" inserted in its stead. If the House should not agree to that, he should move, that the Bill be intituled, not "A Bill to indemnify persons," but "A bill to indemnify 'all and every' person and persons who may have been guilty of bribery at any election in the borough of Stafford."

Mr. *Ellice* said, that this Bill, which had been described to be so very extraordinary a one, differed only from all others of a like kind which had been sent down from the House of Lords, to this extent; that whereas this Bill indemnified all persons connected with the transactions to which it referred in other Bills there had been an exception made in respect of those who had been candidates at the elections referred to, and of those who had not been called upon to give evidence before the Committee. The House, however, agreed to introduce a proviso that this Bill should not exempt any candidate at the last election from any disqualification from sitting in this Parliament, to which he would, or might otherwise have been liable. He had, on a former occasion, stated to the House the reason why this Bill was introduced without a Committee being appointed. It was declared by two persons, who actually paid the money, that 524 electors out of 526, were guilty of bribery; and that if an indemnity were given to those persons, they would prove the facts before a Committee. That being so stated, it was his duty to repeat the statement to the House; and, if possible, to procure redress to the public, for such an enormous grievance as bribery to that extent existing in this borough. At the same time, he could not allow the right hon. Gentleman to declare, that the Bill was solely founded upon his allegation of corruption. It was mainly founded upon the petition, complaining of corruption in that borough. That petition had been sent to a Committee, which could not do justice to the parties, unless an indemnity were given to the witnesses. The right hon. Gentleman proposed, that the Committee should proceed with the examination of witnesses; and when it had gone to an extent to justify the inference of general corruption prevailing in the borough, then the House should grant an indemnity to such witnesses as it might be necessary to examine. He was afraid, if this Bill were not granted in the first instance, the Committee would never proceed with the inquiry sufficiently far, to lay a foundation for such a Bill. The House might rely upon it, that if the Bill, with or without the Amendment which the right hon. Gentleman proposed, were not passed, there would be an end to the inquiry. Without this Bill not even the preliminary steps could be taken; and the case, notwithstanding the notorious existence of gross bribery, must terminate. With regard to the Amendment, he begged to say, that by introducing the word "or" instead of "and," he was of opinion it would have the effect of conciliating the parties who opposed this Bill. He was of opinion that the word 'and" might have been substituted; but the objection to it was this—that if they put that word into the Bill, those would be indemnified, who were, by far, the greatest criminals—who must be examined—and the people, whose evidence might not be required, might be prosecuted by *qui tam* actions. He knew, as well as his right hon. friend, that no evidence given before the Committee could be used as a ground of action in the courts of law; but he knew, also, that certain information might grow out of it, and other persons might be there prosecuted. The first question to be ascertained was, whether they could punish those persons who had committed bribery; and if they could not, then to consider whether advantage could be taken of their evidence. The power of the House was quite sufficient to compel their evidence, should they be inclined to refuse to give it. But he did not apprehend a case of refusal. If the Bill were not agreed to, the borough of Stafford might go on selling its votes, and it, and other boroughs, by similar practices, might send Members to that House, as if no Reform of Parliament had ever taken place. The right hon. Gentleman complained that the Bill went beyond the last election. The reason of that was, that the very persons who paid the money at former elections, were those who did the same at the last election. It was useless to say, that the whole foundation of this Bill was the allegation of the member for Coventry. It was useless to disguise the fact that corruption existed in the borough; it was as notorious as the sun at noon-day. In 1826—and for this assertion he had the authority of one of the agents engaged on that occasion—one candidate expended 6,000*l.* or 7,000*l.*, and the other 14,000*l.* or 15,000*l.* The one who paid the larger sum was, of course, returned. The same course was taken in that case, as in this. Some of the parties seceded; an inquiry was instituted; and a sum equal to one half of the expense of the election was paid into the hands of the agent to suppress the evidence. Without, therefore, some extraordinary measures being adopted, this flagrant instance of gross corruption never could be inquired into or corrected. If his right hon. friend thought it was not worth while to obtain such an object, then he did well to oppose the Bill; but if he thought it desirable to remedy these gross abuses, and to prevent their recurrence in future, and he still refused to send up this measure to the House of Lords, by which those ends might be accomplished, at least his right hon. friend ought to point out by what other means such abuses might be remedied.

Mr. *Shaw* contended that the Bill would defeat its own object, for a Member who had got in by bribery, might indemnify himself by giving evidence against those whom he had corrupted. It seemed to him that the Bill was well calculated to protect the most guilty parties. It was holding out a premium for bribery, and it was enabling the Member, whose seat was challenged, to say, if you unseat me, I will disfranchise your borough?

Mr. *Foster* said, that the allegation of 524 voters having been bribed out of 526, had made a great sensation in the county. He could, however, assure the House, that the case was grossly exaggerated. The evidence on which it rested was altogether *ex parte*; the assertions could not be proved, but they had done the usual work of calumny in injuring the unfortunate. He called Stafford unfortunate, inasmuch as a part of its constituency was corrupt, and their conduct affected a great number of respectable and wealthy people. The parties to be indemnified did not deserve it; and if the Bill were not hurried through the House, petitions from the borough would be sent to the House against it.

Mr. *Chetwynd* said, he was quite ready to agree on his own part, and on the part of his constituents to any inquiry, and he desired to have an investigation into the allegations made against the borough of Stafford.

Bill read a third time.

On the Question that the Bill do pass,

Mr. *C. W. Wynn* moved, that it be inserted in the preamble that the Bill was founded upon the allegations of the right hon. Edward Ellice, that bribery existed in the borough of Stafford.

Mr. *Ellice* was sorry that such a course should be followed by his right hon. friend, which would compel him to follow a similar course on all Bills brought in by his right hon. friend. The proposition was plainly intended to cast ridicule on the Bill.

Mr. *Wynn* withdrew his Amendment, though he affirmed that the House was passing the Bill in a most inconvenient manner, which would cover the House with disgrace.

A verbal Amendment in the preamble having been agreed to, the Bill was passed.

HOUSE OF LORDS,

Saturday, March 30, 1833.

MINUTES.] Bills. Brought up from the Commons:—Suppression of Disturbances (Ireland) with Amendments; and Stafford Indemnity.

HOUSE OF LORDS,

Monday, April 1, 1833.

MINUTES.] Paper ordered. On the Motion of Earl FITZWILLIAM, an Account of the Average price of Wheat as fixed under the 9th of George 4th, cap. 60, from 11th February, 1830, to the latest period.

Petitions presented. By the Marquess of LANSDOWN, from Selkirk, for the Better Regulation of Factories.—By Earl GREY, from Kilnahue, for a Clause in the Grand Jury Bill, for the more equal applotting of Church Cess.—By Lord TEYNHAM, from the Barony of Gallen, for Vote by Ballot; and from Shreen, for a Repeal of the Union.—By the Earl of ROSEBERY, from Kilchrenan and Delavich, to secure to the People of Scotland their just Rights in the choice of their Ministers.—By the Marquess of LANSDOWN, from a Congregation at Nottingham; and by Earl GREY, from the Presbytery of Northumberland,—for a Removal of the Disabilities affecting the Dissenters.—By the Duke of GORDON, the Marquess of STAFFORD, and the Bishop of LINCOLN, from several Places,—for the Better Observance of the Sabbath.—By the Marquess of LANSDOWN, by Earl GREY, by the Earl of UXBRIDGE, and by Lord SUFFIELD, for the Abolition of Slavery.—By the Marquess of WESTMINSTER, from St. Bride's, London, against the Assessed Taxes.—By the Earl of LIMERICK, from Limerick, against the Duty on Soap.—By the Marquess of STAFFORD, from a Number of Places, for a Removal of the Disabilities affecting the Dissenters.

CHURCH PATRONAGE (WALES).] The Marquess of *Westminster* presented a Petition from Welchmen resident in London, for the removal of the abuses in the Church Establishment of Wales. He considered that those who wished for the removal of the abuses of the Establishment were its best friends. The present petitioners particularly desired, that all the ministers of religion resident in Wales should understand the Welch language. They also hoped that all Magistrates and Judges, who had to administer the law, would be compelled to obtain the same knowledge; and they therefore prayed, to attain this end, that a professorship of the Welch language might be instituted in each university. While he was on the subject, he would take the liberty of saying, that he thought the attack which a right reverend Prelate had, on a former evening, made on the author of a work relative to the causes of dissent in Wales had been most ably answered. He took it for granted, that the reverend Prelate had read the letter which, on this subject, had been addressed to one of the morning papers.

Lord *Wynford* expressed his surprise, that the noble Marquess could speak in terms of commendation of Mr. Johnes's letter. A grosser breach of privilege than the publication of that letter had never been committed; for the writer of it avowed that he had been present at the debate, that he had heard certain expressions used in it, and that he was compelled to make such and such comments upon it. He was certain that the noble Lord could not have looked at all carefully at that letter; for if he had, he never would have said one word in commendation of a man who had so grossly violated the privileges of the House.

The Marquess of *Westminster* said, the attack was made on Mr. Johnes, where he could not defend himself, and he might think himself justified in what he had done.

Lord *King* regretted the absence of one of the rev. Prelates who had taken so active a part in the debate on this subject on Friday last; for if that rev. Prelate had been present, he should have given the right rev. Prelate an opportunity of retracting certain sentiments which he had then expressed. The rev. Prelate had charged the writer of a book which he (Lord King) had quoted with having given circulation to the grossest falsehoods, and he was prepared to show that that charge was a matter of pure invention.

The Duke of *Buckingham* was surprised that the noble Lord should have used such language respecting a right rev. Prelate in his absence; he might at least have waited till the right rev. Prelate was present. He would retort upon the noble Lord in his presence, that which the noble Lord had said of the rev. Prelate in his absence.

Lord *King* was now ready with the book in his hand to prove the incorrectness of the right rev. Prelate's assertion. He would give notice that to-morrow night he would show how incorrect the statement of the rev. Prelate was.

The Bishop of *Bristol* said, that the noble Baron had not stated the circumstances of this case fairly. The right rev. Prelate had stated that the book in question contained many instances of gross falsehood, but that he would only produce two instances of it. He then produced them, and said: "*Ex uno disce omnes.*" He was quite sure that his rev. brother would to-morrow substantiate the correctness of what he had said on Friday. It was harsh in the extreme for the noble Lord to attack in so violent a manner a right rev. Prelate, who had enjoyed all his life long the highest character for probity and integrity. The noble Baron was in the habit of bringing forward charges of this description. It was of no use to overturn the noble Baron's statements. The noble Baron fell, indeed, to the ground, but then he rose from each fall with renovated strength. The noble Baron reminded him of an old officer who used to be elected annually in one of our universities to bring the most ridiculous charges against men of high character. This officer was styled *terræ filius.* He wished the noble Baron would be a candidate for that office in that House, and then all their Lordships might profit from his mode of performing its duties.

Petition laid on the Table.

CHURCH REFORM (IRELAND).] The Bishop of Bristol presented a petition from the clergy of his diocess against the proposed plan for reforming the Church of

Ireland. That plan was subversive of the rights of property and of the rights of the Church, and equally destructive to the best interests of Government and to the soundest principles of religion.

The Earl of *Eldon*, wondered how any man could doubt that the Bill for accomplishing the spoliation of the Irish Church, which had been introduced elsewhere, was a tax-bill. No man who had read the Bill half through could have a doubt upon the point. With regard to the measure itself, he hoped that the last act of his life might be passed in opposing it to the utmost of his power. It was adverse to every established principle of Government. He had never seen any Bill so full of spoliation as this was. As his life had been spent in the defence of the Church of England, he should be guilty of a base dereliction of all his former principles if he did not at once avow that he would rather perish in the House than give his assent to so abominable and infamous a measure.

OBSERVANCE OF THE SABBATH.] Lord *Wharncliffe*, in presenting a petition for the better observance of the Sabath, said that he could not give his assent to the measure which had been introduced upon this subject in another place, and which it was quite impossible ever to make palatable to the people of this country.

The Bishop of *London* presented petitions from the parishes of St. Bride, and of St. John, Hampstead, for the better observance of the Sabbath. In presenting these petitions he said that he knew nothing of the measure which had been introduced elsewhere, except what he had seen in the newspapers. He thought, however, that such tradesmen as wished for the cessation of business on Sunday, not merely from the dictates of conscience, but also from the desire to obtain a little temporary ease, were entitled to the protection of their Lordships. He agreed with the noble Baron, that in legislating upon such subjects it was better not to go too far; and if this measure did go too far, he trusted that their Lordships would not be deterred from doing something on a matter of so much importance.

Lord *Ellenborough* recommended the right rev. Prelate, or some other right rev. Prelate, to introduce a rational measure upon this subject; for the measure which had been introduced into the other House would, he was certain, disappoint all the objects which the right rev. Bench had at heart at present. The only means of accomplishing their object was by introducing immediately a more rational measure.

SUPPRESSION OF DISTURBANCES, (IRELAND).] On the Motion of Earl *Grey*, the order of the day was read for summoning the House to take into consideration the Bill, as amended by the Commons, intituled "An Act for the more effectual suppression of local disturbances and dangerous associations in Ireland."

Earl Grey rose and proposed the adoption of the following clause—(the words printed in italics being the amendments of the Commons) :—

"And be it enacted, that any person liable to be prosecuted for any offence committed within any district proclaimed as aforesaid, contrary to the provisions of an Act passed in the Parliament of Ireland in the 27th year of the reign of King George 3rd. intituled 'An Act to prevent tumultuous risings and assemblies, and for the more effectual punishment of persons guilty of outrage, riot, and illegal combination, and of administering and taking unlawful oaths,' or contrary to the provisions of an Act passed in the 50th year of the same reign, intituled 'An Act for the more effectually preventing the administering and taking of unlawful oaths in Ireland, and for the protection of Magistrates and witnesses in criminal cases;' or contrary to the provisions of a certain other Act, passed in the 1st and 2nd years of the reign of his present Majesty, intituled 'An Act to amend an Act passed in the Parliament of Ireland in the 15th and 16th years of the reign of his Majesty King George 3rd. intituled an Act to prevent and punish tumultuous risings of persons within this kingdom, and for other purposes therein mentioned;' or contrary to the provisions of the said Act of the 15th and 16th years of King George 3rd. therein referred to; or contrary to the provisions of a certain other Act passed in the 2nd and 3rd years of the reign of his present Majesty, intituled 'An Act to restrain for five years, in certain cases, party processions in Ireland;' or contrary to the provision of any Act or Acts to continue the said Acts or any of them, and also every person charged with any offence contrary to the provisions of this Act, ex-

cept any offence created by this Act, and directed to be tried and prosecuted according to the course of the common law, shall and may be tried by and before a Court-martial to be appointed as aforesaid, and whether the offence so charged shall or shall not have been committed before the issuing of any proclamation under this Act: provided always, that in case the Lord-lieutenant should direct that any person charged with any offence contrary to any of the Acts aforesaid, which by law now is or may be punishable with death, shall be tried before any Court-martial appointed under this Act, such Court, in case of conviction, shall, instead of the punishment of death, sentence such convict to transportation for life, or for any period not less than seven years: and provided also, that such Courts shall in no case impose the penalty of whipping on any person convicted *by or before such Courts: provided always, that it shall not be lawful for any such Court-martial to convict or try any person for any offence whatsoever committed at any time before the passing of this Act: provided also, that nothing in this Act shall be deemed, or taken to give such Court-martial any power or jurisdiction to try any person or persons charged or to be charged with the printing, publishing, or circulating of any libel, or with any combination or confederacy contrary to the provisions of the said recited Statute of the 27th year of the reign of King George 3rd. or with any prevention or obstruction of any person, or any act to defraud any person in the assertion or enforcement of any civil right or claim contrary to the provisions of the said last-mentioned Statute, unless such combination or prevention, obstruction or act, shall be accompanied by force or by threats; but that all such offences, unaccompanied by force or threat as aforesaid, shall remain triable according to the course of the common law."*
The Noble Earl said, that the Amendment in the clause was to the effect that offences of a political nature should not be tried by a Court-martial, but according to the course of the common law.

Lord *Ellenborough* said, that if the Amendments were to be made on the grounds stated by the noble Earl, they were not sufficient. The original enactments stood upon the ground that there was good reason to suppose that Jurors had been intimidated, and that substantial justice could not be obtained according to the usual course of the common law, and that being so, it was without any violation of the liberty of the subject, enacted that such offences as those to which this Bill referred should be tried by Courts-martial. The noble Earl could only have been right before upon the supposition that justice was not to be obtained in Ireland according to the course of the common law. If that were still the case, why alter the provisions of the Bill? The provisions of this Bill, as they originally stood, were most stringent. When the Bill, of which this was in part an imitation, passed in 1829, the degree of political agitation in Ireland was most violent; it was much greater than at present. The election for Clare had just brought to the world the knowledge of the fact, that there was a sort of military organization among the people of Ireland—they were not riotous—they paid an insulting obedience to the law—there was throughout the country a latent rebellion that might be called into active exertion by those who were at the head of the Catholic Association; yet the Government of that day did not introduce such enactments as were to be found in this Bill. If the noble Earl was prepared to show that the condition of Ireland was improved, he should be most ready to accede to the Amendments now proposed, but as the noble Earl had said nothing of the kind—as he had given no explanation that could lead him to draw such an inference—he should with the greatest reluctance be compelled to refrain from giving his support to Amendments, which, if the state of things in Ireland was not altered, appeared to have been somewhat irrationally introduced into this Bill.

The Earl of *Eldon* said, that their Lordships were at this moment engaged in discussing one of the most important constitutional questions that he had ever seen introduced in Parliament since he had had the honour of a seat in that House. It involved the principle that what necessity compelled necessity justified. If the Minister was prepared to come down to the House and say, that necessity warranted the suspension of the Constitution—and it was a suspension of one of the most important parts of the Constitution—the Trial by Jury—if he were prepared to do this, their Lordships might understand the grounds on which they were proceeding; but, if that was not so—if the necessity did not exist—the rule of justification was applied to a state of circumstances that did not warrant it. He had long been the political opponent of the noble Earl, but he had never in his life uttered anything of him that was disrespectful, and in what he was urging he had no wish to do so. But was not the whole conduct of the noble Earl on this matter quite inconsistent in its character? One of the most important alterations that could be proposed would soon be submitted to them, and it was this—that the subjects of Ireland were now to be tried by Juries, who were destined to be tried by Courts-martial six weeks ago. He felt somewhat strongly upon this subject, on account of the position in which that House was by this measure placed with regard to the country. The men who had been opposed to the Reform Act had been represented as enemies of civil liberty, and of the rights which all men in this country were entitled to enjoy. He warned the noble Earl to observe how soon that sort of language might be altered in its application. He was really ashamed to see how the noble Earl was now made the subject of abuse throughout the country. The country papers said, with regard to that measure of Reform, which they called a restitution of the old law of the country, but which was no more a restitution of the old law of the country than it was a restitution of the principles of the Constitution of France: the country papers said, with regard to that measure something of the same kind that they now repeated with regard to this measure—they said, "No matter what the House of Lords says, or what the opinion of the House of Lords is, we will go to the House of Commons and get all that altered." The noble Earl should take heed of this. There were various ways in which a Bill might be brought into Parliament. This Bill had been brought into the House of Lords, and had passed through that House upon the responsibility of the Ministers. If the Bill was not wanted, the Ministers alone were responsible. He would not stand before his country, and be abused as a man who would give up the Constitution of his country, when he could say to that country, "I did not consent to this Bill, but on the responsibility of those who told us that Ireland could not be saved without it." If the whole people of England could be brought within a distance to hear him, he should declare to them that he would rather suffer death than take away from the subject the right to Trial by Jury, and make him liable to be tried by Courts-martial, if he had not thought that such a measure was absolutely necessary for the safety and protection of the people of Ireland. Under these circumstances, he must press the noble Earl for an answer to the question, whether this measure was necessary now? To pledge that House to measures, and then in this way to abandon them, without any apparent reason whatever, was to do that which must tend to the destruction of that House and of the Constitution. He hoped, that the House would never be pledged in that manner again. When a noble Lord, whom he now saw in his place, had come down to Parliament as a Minister on a similar occasion, he had done so under the absolute pressure of necessity, and, under that necessity, had got a Bill read three times in one night. But that was when the mischief was so immediate that forms were necessarily sacrificed. He had no object but to do his duty; and he would not allow himself to be called an enemy of his country because he had only done that which appeared to be his duty, upon the representation of a responsible Minister.

Earl *Grey*: My Lords, no one is more willing than I am to give credit to the noble Earl for the purity of his motives—for his regard to the Constitution—and for the sound reason with which he desires that all his actions shall be governed. I subscribe to the position he has laid down, that this was a measure of necessity—it was introduced as a measure of necessity, and, therefore, without the usual formality of the appointment of a Committee of Inquiry, as it was thought that the circumstances were such as to carry with them a complete justification of the Bill; and I had the satisfaction of seeing that view of the subject adopted in this House almost unanimously, while its justice was admitted by considerable majorities elsewhere. I subscribe also in some measure to the proposition, not that what necessity compels necessity justifies, but that what necessity compels necessity limits. This measure, which went to deprive the subject of part of his legal rights, I introduced with the most painful feelings; and if what I have done has exposed me to the severe reflections that the noble Earl intimates, I shall console myself with the reflection that it was a painful discharge of that duty which my conscience required me to perform. The noble Earl has argued as if the whole ground of necessity was abandoned by the introduction of these Amendments. I cannot understand this to be the case. The necessity which, as I have before stated, compelled the measure, ought to limit it; and if, in the discussion of a measure, it is shown that with certain limitations it would be as efficient as the case of necessity required it to be, then, as it seems to me, the Houses of Parliament are bound to admit those limitations, and to alter the measure accordingly. Undoubtedly, as the Bill originally stood, the offences which are enumerated in the clause we are now discussing, subjected those who committed them to be tried by Courts-martial. If the objects of that provision can be attained in another way, I am bound to consider whether I cannot dispense with these provisions in the particular case, and if I can, without injuring the general efficiency of the measure, I am bound to do so. One part of this Bill relates to meetings of an illegal nature, and which are calculated to produce most evil effects. It was to stop such political agitation that this Bill was proposed. I will not stop to inquire whether that agitation was greater or less than in 1829, but it was of so great an extent, and threatened such dangerous consequences, that there was no one who did not feel the necessity of some measure to repress the evil. It is not necessary for me to go further than to the repeated calls made on me for some measure of this nature for a long period before it was introduced. The meetings, that are the subject of this enactment, have been held generally in districts which there is no reason for proclaiming. As it is almost impossible that meetings should continue to be held in such districts, the question is, whether we shall continue this provision of the law with regard to them. After carefully considering the subject, I am of opinion, that the measure may, with perfect safety to its general efficiency, be limited in the way now proposed by these Amendments, and I shall therefore give them my support. I have been called on to state whether Ireland is in an improved state. In some districts there has been some improvement, but not in all, and not enough to justify the remission of this measure. During the last circuit, Juries have performed their duty better than they did formerly, but still it is frequently impossible to carry the law fully into effect, in consequence of the difficulty of getting witnesses to come forward. I have a letter from one of the highest law authorities in Ireland, stating that the very expectation of this Bill has produced a most salutary effect, and when carried into execution, I hope it will be found to answer its purpose. That being the case, I appeal to your Lordships whether I am liable to be attacked for inconsistency—to be accused of abandoning principles, or to be charged with acting in contradiction to the necessity of the case, if, in this particular instance of limitation, I propose to you to acquiesce in the Amendments that have been agreed to in the House of Commons—Amendments which, I think, may be adopted with safety, and without diminishing the efficiency of the Bill? What was the object of this Bill in the first instance? It was to institute Courts-martial, for the purpose of preventing the punishment of death from being visited upon those who did their duty as Jurymen or witnesses. The Amendments will not diminish the power of Courts-martial in that respect; and as to the taking away from me, and giving to the noble Earl opposite that popularity which he now seems so earnestly to desire, I must be content to suffer the loss in consequence of having done my duty, and must permit the noble Earl to receive all the advantage of it. I do think that the Amendments now proposed may be agreed to, consistently with the principles stated by the noble Earl and the noble Lord opposite, and consequently it is their duty to assent to these Amendments. It is on these grounds generally that I shall assent to them. It was with the deepest regret, that I found myself compelled to propose the measure. Feeling the necessity of it, I did not shrink from doing my duty, however painful that duty was, and consistently with that principle I would not preserve part of the Bill which can be safely done away with.

The Duke of *Wellington* either had not understood the original provisions of the Bill before it underwent alteration, he would not call it amendment, in the other House, or the noble Earl had not fully stated its existing powers. It appeared to him that according to the original provisions of the Bill, as it was introduced to their Lordships' House, there were three modes of dealing with the particular offence of assembling after the Proclamation Act, two of which related to meetings in districts not proclaimed under the second portion of the Bill, and the other to offences in districts which were proclaimed. The first of these modes related to summary convictions before two Magistrates, according to the Bill of 1829; the second to convictions according to the ordinary course of common law; and the third related to convictions by Courts-martial in districts proclaimed under the operation of the second part of the Bill. Now what was the alteration which the Bill had undergone? Why that, whether the offence was committed in a part of the kingdom that was not proclaimed or in a district that was proclaimed—whether it was committed in such a manner as that, under the original Bill, it might be tried in a summary way before two Magistrates, or whether it might have come under the jurisdiction of a Court-martial—it was in every case to be tried according to the common law. Was not this, he asked, a complete revolution in principle? The preamble of the Bill, if such an amendment was adopted, should be altered, if it went to state the expediency of certain measures which the details would not contain. The preamble expressly placed the trial of offences connected with the holding of unlawful assemblies in proclaimed districts to Courts-martial, and in districts not proclaimed by the ordinary courts appointed to try misdemeanors. But what was the alteration made by the House of Commons? Why, it completely put an end to the power of trial by summary process, and provided that the offence, even in proclaimed districts, should not be tried either in a summary manner by two Magistrates, or by Courts-martial, but by the ordinary courts of common law. Now he felt called upon to say that, if the courts of common law were found capable of doing any business whatever, they were capable, if properly exercised, and ought to be used, in discharging all the judicial functions of the country. He repeated that, if the courts of common law were now found adequate for the trial of offences connected with illegal assemblies, they ought to be deemed equally adequate for the trial of all manner of violations of the law, and Courts-martial ought not to be employed at all. If, however, on the contrary, it were true that Courts-martial were requisite for the discharge of the judicial business of the country—if it were true that owing to intimidation neither Jurors nor witnesses could be obtained, and if it were true that the ordinary tribunals could not be relied upon for the vindication of the law, their Lordships ought not to shrink from doing that which was necessary, however harsh, nor suffer a measure which they believed called for, to be idly frittered away. The question to be considered was, whether justice could be administered in proclaimed districts without having recourse to military tribunals? If it could, Courts-martial should not be called into existence at all. If such a hope, however, could not be obtained, and if it were necessary to establish military tribunals, he took upon himself to say they would be useless unless they were vested with the powers to try the particular species of offence to which the Amendment under consideration referred, as well as every other species of offence which under the other provisions of the Act, might come before them.

Lord *Plunkett* thought that the noble Duke had in some measure mistaken the question. The noble Duke argued as if those Amendments which were now the subject of discussion went to take away all the provisions of the Bill, which were adapted to give effect to the law in Ireland. The noble Duke, at the conclusion of his observations, had put a sort of dilemma, in which he supposed the Ministers to be involved. The noble Duke said, that if the ordinary law were sufficient to put down those offences, Courts-martial was not required; if it were not, and Courts-martial were established, then said the noble Duke, you ought not to go back to the common law. But that dilemma could not be sustained. It was not stated that the institution of Courts-martial was every where necessary. The provisions contained in the other parts of the Bill would have the effect of giving protection to people in those parts of the country which were not proclaimed, and would enable the courts of law there to do their duty with effect. But such was not likely to be the case in the proclaimed districts, and therefore, though the Courts-martial might be indispensable in one place and for one class of offences, they might not be required in another and for another species of crime. He believed there had existed, and he was sorry to say, that he believed there did still exist, a most unexampled state of disorganization in many parts of Ireland. The unfortunate people of that country had been oppressed with an iron tyranny such as no other part of the world had ever seen since the days of Robespierre. The Bill was still necessary, although not as a measure of coercion, but of protection to the unfortunate people. His noble friend at the head of the Government said, that he was not desirous of carrying it further than he was absolutely compelled to do, and was he therefore to be described as giving up the Bill altogether? His noble friend did not wish to lose sight of those principles which ought not to be broken in upon except in case of absolute necessity, and which ought to be infringed no further than the limits which that necessity positively prescribed. The question had not been argued as fairly by other noble Lords as by the noble Duke, but had been argued as a matter of personal blame to the noble Earl at the head of the Government. They were asked why the Bill had been introduced in that House? and they were told in effect, that if they were now to adopt these Amendments they would be bringing their own House into disrespect. The noble Earl opposite had spoken much of the Constitution. Was that one of the principles of the Constitution which the noble Earl would rather suffer death than violate, to refuse to consent to Amendments made in a Bill by the House of Commons? At least, it was not supposed to be so in the other House, where Amendments made by their Lordships in a Bill relating to Trial by Jury had been readily adopted. It was, indeed, one of the advantages of the Constitution, that a measure brought into one House was corrected afterwards by the examination of the other. He did not consider that the Bill had received any such alterations in the other House as would render it inefficacious. A considerable effect had already been produced in Ireland by the mere announcement of this measure, which, for his own part, he considered was required by, and still adapted to the situation in which Ireland was now placed. The noble Earl stated, that he understood the trials on the late circuits had produced satisfactory results—that there was at length freedom of opinion and of action—that Jurors were not afraid, nor witnesses intimidated. But the real question was, if there were perfect freedom, would not more cases have been brought forward for trial? Were prosecutors in that situation which they ought to be? He would state one remarkable fact which occurred lately. It was a prosecution against a police officer for murder, in which the relatives of the deceased had to appear in the character of public prosecutors. Allowance ought certainly to be made for the natural feelings of individuals in such circumstances; but these feelings were carried too far when they attacked the prerogatives of the Crown, in such a way as had rarely or ever been done, by challenging every Juror from whom an impartial verdict might be expected. When the Jury were impanelled, the prosecutors thought that Roman Catholics were more likely to give a verdict according to their wishes than Protestants, and in consequence nine jurors of the former and three of the latter persuasion, were sworn in. The party was acquitted, as he was in fact blameless; that showed, he admitted, an improved state of feeling. He had very strong hopes that this Bill would not be required to be put in force in any single instance; but that did not prove that it was not necessary to enact it. He would beg their Lordships to consider the description of crime to which it was still applicable—that almost every case which could possibly arise, connected with the intimidation of witnesses, or the attempt to turn public functionaries from their duties, was embraced by it. All these offences were met by its provisions. Though founded on the Proclamation Act of 1829, it went much farther, and was far more comprehensive in its nature; for it gave the Lord Lieutenant the means, when the ordinary powers could not reach offenders, of directly attacking and putting an end to outrage. It gave great facilities for carrying the common law into effect in the districts where it was yet in force, and in any other parts of the country it gave military courts as they were properly called, power over all those offences which impeded the administration of justice. What had been the state of Ireland for the last twelve months? Not merely had the ill-disposed been rioting in every kind of lawlessness, but they compelled others to join in their train—the well disposed, who were anxious to fulfil their duties—to pay their rents—to be peaceable, loyal, and good subjects, had been in many instances forced into a reluctant concert with evil doers. It was to put an end to this frightful state of things, that the Bill had been brought in; and without stating that all the alterations were absolute improvements in the Bill, he would still say that it was a good Bill, and sufficient for the purpose. He was satisfied to take it as it was, being convinced that it would preserve peace, ensure order, and protect life; and he therefore put it to their Lordships whether, under such circumstances, they would do anything to defeat or impair it?

Lord *Wynford* said, if he believed that there was such a happy change in the constitution of society in Ireland as to justify these changes in the Bill, he should feel it his duty to oppose every Amendment, and in order to procure the rejection of the Bill, because he would never wantonly consent to the violation of the established Constitution of the country. But he did not think that any change of a salutary nature had taken place on which they could congratulate themselves. He would beg to state that the averment of the noble Lord, that it was exceedingly doubtful if the Bill would ever be put in force, in consequence of the Amendment in the state of the country, was to him a source of uneasiness. If a noble Lord in another place had been correctly reported, he had described this supposed improvement as the very circumstance which was of the most alarming character. And in that opinion he (Lord Wynford) most certainly agreed; for it was a calm of a delusive and portentous nature, and only showed the immense and unwholesome control which certain individuals could exercise over their fellow-countrymen. It was evident there were persons of influence sufficient to suppress their angry passions, and almost on the instant to make them quiescent and apparently obedient to the law, but who, when it suited their purpose, could bring them forward in most formidable array—a thing which he denounced as wholly inconsistent with the peace and good government of the country. But in reference to this boasted improvement, he would beg to ask whether the case of the Rev. Mr. Doyle, whose trial at Naas, which had been published in the papers of that morning, had been read by their Lordships, and whether it showed any features which should induce their Lordships to consent to this Amendment made by the Commons? That Rev. gentleman had been indicted for publishing seditious libels and attending illegal meetings, and the second count, for being present at such meetings, applied to the part now under consideration. This Rev. gentleman, who talked of getting rid of all tithes, and who attacked the Aristocracy in every way, would have been as he expected convicted; but after four hours deliberation the Rev. gentleman had been acquitted. Now he considered that unlawful assemblies, in the present temper of Ireland, were, of all things in the world, her greatest curse, and ought, above all things, to be vigorously met and resolutely put down. How could the fidelity of the preamble be maintained under these alterations? What did it complain of? Why, that there were unlawful assemblies which afflicted and disturbed the country. Then, he contended, that these unlawful and tumultuous assemblages were the worst part of the grievances of Ireland, and ought not to have been withdrawn from the jurisdiction of the Courts-martial. If they wanted evidence of the injurious tendency of these meetings, let them look to the last eighteen months, ever since another individual of the name of Doyle had written a certain letter, which had produced dissension and disturbance as surely as thunder followed lightning. These offences were the foundation of all others—they were the parents of all the outrage and all the intimidation which had lately prevailed; and if they could not be tried by the ordinary course of the law, as the noble Premier had at first stated, and which had not since been contradicted, they ought to be assigned for decision to the Courts-martial. These meetings were all for political purposes, and all in their consequences contributed to the disruption of society. If such meetings were not to be attacked, punished, and put down, it was a mere mockery to pass this Bill, and it would be wise to come to some understanding at once and reject it. He should oppose to the utmost any attempt to destroy the Church of Ireland because he was bound to protect his Sovereign, and his Sovereign was bound to protect that Church. Now any attempts to injure or destroy that, or to intimidate its Ministers, were political offences, and the King, as *parens patriæ*, was bound to take every measure to defend it, and their Lordships, as the great supporters of the Throne, were called upon to assist him in maintaining order and enforcing justice. If they could not do this by the ordinary law they were bound to go beyond it, no matter for what offence. They ought, then, after the statement of the noble Earl at the head of the Government, to decide on these political offences at once. If they withdrew them from the Courts-martial Clause, the Bill was merely a bit of waste paper. It was folly to talk of murders and maraudings only being subject to such courts. They could not re-animate the murdered body—they could not restore vigour to the limb when the mortal blow had been given by the midnight assassin; but they could prevent those tumultuous meetings which first gave birth to such enormities, which engendered such atrocities, which excited such evil and such horrid passions, and they ought to do so. He was satisfied that the Bill, as formerly sent down from that House, was a necessary, a just, and an efficient measure, wholly equal to its end. It was not so now. He had a high respect for the other House; but he had also a proper respect for that House to which he had the honour to belong; and he therefore called upon their Lordships to respect their own privileges, and not give way on the present occasion, by agreeing to Amendments which were at once unwise and uncalled for.

The Earl of *Wicklow* hoped no one would suppose that any objections had been taken to the Amendments, in consequence of their being more lenient than the original provisions of the Bill. Such, he was convinced, was not the case; and he had heard with pleasure from his Majesty's Ministers that the Bill, as it now stood, was competent to their wishes; that under such a Bill, they would be able to maintain peace and security in Ireland. He must say, however, that the noble Earl at the head of the Government, had placed their Lordships in a very difficult position. As the responsible Minister of the Crown, the noble Earl had brought in a Bill of extraordinary, if not unprecedented, severity; and their Lordships, reposing perfect confidence in the positive statement of the noble Earl as to its absolute necessity, had adopted the measure. But now, after a period of six weeks, the noble Earl brought forward the same measure, if so it was to be called, but greatly and most essentially altered, and asked their Lordships' concurrence with the alterations, on the ground that the state of Ireland was altered, and that the discussions in another place had thrown a new light upon the subject. Of such conduct the House had surely a right to complain. It was evident, that either the noble Earl (Grey) when he made his first statement was ignorant of the real state of Ireland, or that knowing the state of Ireland, he had asked for a measure as absolutely necessary, which he now said was not absolutely necessary, or even justifiable. If any improvement had taken place in Ireland since the bringing forward of this Bill, it was occasioned by the confidence which the mooting of such a measure had given to the well-disposed part of the community in the Government. But a short time back, the peaceable and the loyal had felt themselves left at the mercy of the ruffian; but when they saw this measure brought forward, they concluded that the Government meant to assert its supremacy for the security of the people, and under that conviction they had given their exertions to maintain the law. That, he contended, was a strong reason for maintaining the disposition first evinced. Nothing short of it on the part of the Legislature would give peace to Ireland. In its present shape, the Bill was greatly impaired. The noble Earl said, it was as efficient as when it was sent to the Commons, and fully equal to the wants of the Government. If it would enable the Government—if, as the Ministers said upon their responsibility, that with the Bill, as amended, they could maintain peace, and secure property and life in Ireland—he had no objection to it; but he must deny, that the Bill, as amended, was calculated to effect what the original Bill would have effected. The original Bill brought two distinct classes of persons within its scope. First, the political agitator, against whom, indeed, the strongest passages in the noble Earl's speech on introducing the Bill had been directed. In the second place, all persons in proclaimed districts, who should be absent from their houses in the night time. Whereas, now, the only persons who would be amenable to be tried under the measure were those who had actually been guilty of violence, such as midnight incendiaries and assassins. He repeated, however, that he was glad to hear, from Ministers, that the Bill, with all its material alterations, was adequate to the maintenance of peace and security in Ireland; and he had only to regret that the noble Earl (Grey) had before so completely misled their Lordships, by his positive declaration of the absolute necessity of so great a departure from the Constitution as he then proposed.

Viscount *Melbourne* maintained, that the Bill still gave abundant power to the Lord-lieutenant of Ireland to put down illegal meetings. The meetings, the proceedings at which, in the Bill as it originally stood, were to be brought within the purview of Courts-martial, were only meetings in proclaimed districts. Now it was well known, that the principal body aimed at by the Bill was the Volunteers. But meetings of the Volunteers were very rarely held in these districts likely to be proclaimed, so that the efficiency of this Bill was not diminished as regarded them. It was true that an improvement had manifested itself in the state of Ireland, and that Juries had lately done their duty; and he agreed with the noble Earl, that one cause of that improvement was the encouragement given to the well-disposed, by the introduction of the Bill into Parliament. But it was not less true, that while the convictions were going on to which he alluded, outrages were prevailing to an extent which proved that the ordinary laws were not enough to repress them. He could not admit, that that House at all compromised its dignity, by agreeing to amendments which proceeded from the other House. All that their Lordships ought to do, was to consider whether those Amendments were right or not; and, if right, to agree to them. But it was maintained by the noble Earl (if his objections meant anything), that the Bill ought to be brought in precisely as it was ultimately to pass. Did the noble Earl ever know a Bill of severity of this kind go through both Houses of Parliament without receiving sufficient modifications? Was not that the case with the Bills of 1794? And did not the measures known by the name of the Six Acts undergo this most material alteration, that their operation was confined to meetings in the open air?

The Duke of *Wellington* complained, that the provisions of the Bill were now inconsistent with the preamble. and that those meetings against which it was declared in the preamble, that some extraordinary measure of legislation was necessary, were now not included in the operation of the Bill, but were submitted to a different mode of punishment. If, however, his Majesty's Ministers conceived that the measure, in its present form, was sufficient for the purpose in view, he, for one, would not wish them to carry it one iota further. He did not complain of the Amendments, but he complained of the inconsistency of the preamble with the provisions of the Bill.

The Marquess of *Lansdown* observed, that even if the Amendments exposed the framers of the Bill to the charge of inconsistency, and they were at the same time thought right, they ought to be adopted. But he denied the validity of the noble Duke's argument. No difference whatever had been made in the mode of punishment, the only difference was in the mode in which guilt was to be ascertained. If it were discovered that only one case out of one hundred of those to which the provisions of the Bill originally applied, did not need the application of extraordinary powers, that case ought to be removed, and restored to the dominion of the ordinary law. If there was one thing of which he was more confident than another, it was this, that if their Lordships passed the Bill as it stood, they would hear no more of those assemblies which all parties agreed were destructive of the peace and prosperity of Ireland.

The Earl of *Roden* said, that when the noble Earl (Earl Grey) first introduced the measure in February, one of the strongest arguments he pressed upon the House was the necessity of adopting some measure which should enable the Government to put down the political agitators. Now, however, the noble Earl took quite a different view. It was now thought necessary only to arrest and punish the dupes of the agitators, and to leave the agitators to be dealt with by that which the noble Earl had expressly declared to be incompetent to their suppression, the common law. For his own part there was but one Amendment upon which he should feel it his duty to take the sense of their Lordships, and that occurred in the fourth clause, and respected the clergy. With respect to the Bill itself, as sent to the House of Commons and as it now appeared, what had been said of the month of March might with justice be applied to it—it went in like a lion and came out like a lamb. He was not unwilling to admit some benefit had already arisen out of the measure in the security which it promised to witnesses and Jurors, and the consequent confidence which it inspired in those classes of persons. It was to it he in a great measure ascribed the attendance of Jurors at the last Assizes, but he feared that those good effects would be neutralized by the Amendments which were made in the Bill. This was a view of the case which their Lordships ought not to forget, and they should take especial care that none of the benefits which the Bill had produced should be in any way frustrated. He was free to confess that the Bill was a measure of unprecedented harshness, and could only be justified by the necessity of the case. The Bill was a Whig Bill, but it was not on that account he found fault with it. but because of the injudicious alterations. How could the noble Earl opposite and his colleagues justify those alterations? What had occurred since it had been introduced into that House to change the opinion of his Majesty's Ministers? They could not say that the state of Ireland was different now to what it was in February. If the Bill was justifiable at that time it was so up to the present moment. If it were not, in the opinion of his Majesty's Ministers, justifiable at that time, they were guilty of a great injustice to that House in throwing the odium of so harsh a measure upon their Lordships' shoulders. It was unfair towards their Lordships to make them appear the originators of unnecessarily harsh measures, and then to propose or admit of modifications to such measures elsewhere. But, in point of fact, there was no just reason for those alterations. The state of Ireland continued still equally alarming, as was proved by insurrectionary outrages of all descriptions. These were becoming every day more numerous and notorious; and authentic statements of them were every day published and were known to both Houses of Parliament. The Bill, too, was called for by the peaceable, the loyal, and respectable portions of the Irish community. Their Lordships would see, from the Resolutions entered into by the Lord-lieutenants, Noblemen, Sheriffs, Magistrates, and gentry of Kilkenny, how much the Bill was desired in that part of Ireland; and yet, notwithstanding such testimony in favour of the efficacy of the Bill in its original shape, they had it now brought down to them from the other House, frittered away and deprived of some of its most essential points. In fact the Bill was now almost nothing. It would be wholly inoperative in what he considered its vital features. He saw nothing at all to gratify him in the changes that were made — nothing to redeem or compensate the advantages which were thrown away. The tendency of those alterations must necessarily be to throw odium on the aristocracy, to give them an unjust character for severity and harshness, and to give credit to others for mild and conciliatory dispositions. However that might be, there was another objection to those Amendments, which, in the mind of every friend to order, was of great importance. The great object of the Bill was to put down agitation, and most willingly did he give his support to a measure having that object in view. When he supported the Bill he chiefly approved of that clause which was directed against agitation and agitators and he had no doubt but that it would be retained; it was therefore with great regret he perceived that an alteration had been made under which the great agitators would escape, though their unfortunate dupes might be handed over to a Court-martial. There was no one subject upon which their Lordships ought to be more resolute than in suppressing agitation in Ireland; if it continued the Catholics would be emboldened by success, while the Protestants would be disgusted by the repeated disappointment of their hopes of protection. These feelings might create the most disastrous results. Their Lordships might rest assured that nothing was more conducive to the peace and security of Ireland, and to the integrity of the empire, which depended so much upon the Union of the two countries, than making a marked distinction between the two great parties in Ireland. The protection of the Protestant interest by the British Legislature was essential to the maintenance of the Union; and if ever they should, through disgust or disappointment, coalesce with the other party it would be utterly impossible to prevent a Repeal of the Union, or, in other words, a dismemberment of the Empire. He objected to those Amendments on several grounds, and on none more particularly than that the higher classes of agitators and offenders were exempted from summary jurisdiction and military tribunals, whilst their humbler dupes, led on by artifice, operating unfortunately too often upon distress, would be handed over to those tribunals which he had hoped were intended principally for the punishment of the ringleaders. He did not mean to divide the House upon the Amendment, but if any noble Lord proposed its rejection he should have his support.

Lord *Teynham* remarked, that half a million of people in England had petitioned against the passing of the Bill at all. It was a measure which certainly established a tremendous gulf between England and Ireland. He certainly did not mean to say, that the Bill was not necessary, but he deeply deplored that necessity, feeling, as he did, that Ireland ought to be governed by other means than by the sword.

Earl *Grey* denied that his conduct was justly liable to the charge which had been preferred against it. He certainly should have done very wrong if he had proposed any measure stronger than what the necessity of the case seemed to him at the time to require. But after much consideration, the Bill which he had had the honour to introduce to their Lordships was framed in conformity with what that necessity appeared to justify, and had been adopted by their Lordships in consequence of his statement. It then went to the other House of Parliament, which had an undoubted right to make what alterations in the Bill they thought proper. For those alterations he was not responsible. Some of them he wished had not been made. But when the Bill came back with these alterations, it was for their Lordships to consider whether it was not still sufficient for its purpose. That was the true ground on which the question stood. A noble Earl had alleged that the course which had been adopted was calculated to blacken the aristocracy in the minds of the people. If that reproach was applicable to the House for adopting the measure, how much more applicable must it be to him who proposed the measure? But he must deny that either the House or the individual who was then addressing them was justly subject to the reproach. When the Bill came from the other House of Parliament with alterations, it was their Lordships' duty to examine those alterations; and if they considered them beneficial, to adopt them. And even if they considered those alterations objectionable, yet not so objectionable as to warrant risking the loss or the delay of the Bill, they would then pay a proper deference to the other branch of the Legislature, as well as to their duty to the public, by agreeing to the alterations. He did not think that this alteration with respect to Courts-martial materially affected the Bill. These were the only alterations made in the first part of the Bill, and he did not think that they militated against its efficiency. He now approached the second part; and though there were numerous alterations made in it, yet they were not of any particular importance, with the exception of that which limited the power of the Lord-lieutenant, so that he could not apply the provisions of the Act to districts merely because tithes had not been paid. That clause had certainly made a great change in the operation of the Bill, but he hoped that the difference was not so great as to prevent their Lordships from passing it. With respect to the preamble, he thought that it was strictly in accordance with the provisions of the Bill. It stated that the laws now in force had been found inadequate to the prompt and effectual suppression of the disturbances, and that the interposition of Parliament was necessary, for the purpose of checking their further progress and to maintain the peace. He conceived that that had been fully made out, and the provisions of the Bill would carry it into effect. He agreed in opinion with the petitioners from Kilkenny, who stated in their last resolution that the least possible delay should be allowed to intervene in passing the measure into a law. He thought that the Bill, as amended, would have the effect of tranquillizing Ireland; and he was sure that the noble Duke opposite (than whom there could not be a higher authority on military matters) would declare that, with the Bill as it then stood in his hand, he would answer for the peace of that country. He would conclude by saying, that it was for their Lordships to say whether they would receive the Bill as amended, or whether they would reject any, or which of the Amendments made in the other House.

Clause with Amendments agreed to.

Several verbal Amendments were agreed to. On the Question being put, on the omission of the words in the 4th clause "shall be cognizable by any Court appointed as hereinafter mentioned, and if not committed within any such district—"

Lord *Ellenborough* rose and said, that undoubtedly the Amendment in this clause made a great alteration in the working of the Bill: inasmuch as those attending meetings were only liable to be punished at common law as the clause now stood, whereas they could be punished summarily as the clause stood formerly. He recollected that when he formerly objected to the clause, it was said, that as the punishment inflicted was less than that awarded at common law, it would operate better than if more severe punishment were ordained, in consequence of the summary jurisdiction under which it might be awarded. He did not conceive that the clause, as amended, was more favourable to liberty than formerly, but quite the reverse. Though it was generally proper to confine observations to the clause under discussion, he thought it worthy of observation at that time, how unequally the Bill acted. By the 22nd clause it was enacted, that every person who should injure the property or person of any one who had appeared as a juror, witness, or prosecutor, or for the purpose of any prosecution or civil proceeding, or who by menaces, or otherwise, should deter any one from appearing as a juror, witness, &c., or otherwise, should be triable for such offence, if committed within any proclaimed district, by a Court-martial, and on conviction be liable to transportation for seven or fourteen years. This brought the poorer classes under the jurisdiction of Courts-martial, while the great agitators, who were the cause of the disturbances, were specially excepted by the clause then under consideration. If the alterations in the Bill had been made in the other House, contrary to the wishes of Government, and by an overwhelming majority of that House, then the Ministers and their Lordships would all be placed in the same situation. But that was not the case. Ministers not only agreed to many material changes, but they even suggested some amendments themselves. They must, therefore, have offered a measure for their Lordships' adoption, which was either inadequate to the case in point, or which they were not justified in passing. He did not like that provision of the Bill which enacted that the poor should be tried by Courts-martial, while the great agitators were tried by common law. It was not consistent with ordinary justice—it was not calculated to raise their Lordships in the opinion of the country—nor was it consistent with the grounds on which the noble Earl had founded his case for the necessity of the additional powers conferred on the Government by the Bill.

Earl *Grey* said, that the noble Baron had endeavoured to create the impression that the Ministers were dealing leniently towards the great agitators, who caused the disturbances, while they oppressed the poor who only acted as their followers. He was convinced that the sense of the country would reject the imputation which the noble Baron endeavoured to cast upon Ministers. The noble Baron would allow that there was a difference between the culprit who practised midnight outrages, and plotted in secret, and him who went boldly in the face of the law, and that different modes of punishment were applicable to the two species of crime. That was the reason why the difference drawn between him who maliciously injured property, or deterred a juror from attending on any trial, or any offence of that sort—and the agitator. And as a proof that these agitators themselves did not consider that they were favoured by the measure, he might mention that persons addicted to such practices were those most opposed to its enactments. He thought, therefore, that whether their Lordships adhered to the clause as amended or not, they would acquit his Majesty's Government of any intention to truckle to the great agitators. He now came to the part of the noble Lord's statement which regarded the taking the power of summary punishment from the Justices of the Peace. The question was, whether the increased punishment would not be sufficient to answer the ends of justice. In his opinion it would; especially as any Magistrate, Peace Officer, or other person, authorized by the Lord-lieutenant, could commit to prison any one found out of his house at certain hours, or who contravened the provisions of the Act. If the punishment of the common law were found effectual, he could not but consider it desirable that it should be adhered to, as there was always a prejudice entertained against a conviction by a Magistrate without the intervention of a Jury. He, therefore, thought that their Lordships would consider that the Amendment might be agreed to, without destroying the efficacy of the Bill.

The Amendment agreed to.

Several verbal amendments agreed to—Upon the Amendment to the 4th clause being read, which provides that it shall not be in the power of the Lord-lieutenant to apply the provisions of the Bill merely because tithes had not been paid,

Earl *Grey* said, that he could not but acknowledge that he approached that Amendment with great regret. He hoped, however, that the difference which it made in the operation of the Bill was not such as would induce their Lordships to reject the whole Bill. He, however, saw no greater difficulty in adopting the provision than that it was useless and clearly inoperative.

The Duke of *Wellington* said, that he objected to the Amendment because it was inconsistent with the previous part of the clause. The commencement of the clause gave the Lord-lieutenant the power of declaring a district in a state of insubordination, and then the clause went on to say that it should not be lawful for the Lord-lieutenant to apply the provisions of this act to any county or district merely because tithes should not have been paid. But a county or district might be disturbed in consequence of outrages arising from tithes, and it was surely not intended that the Lord-lieutenant was not then to proclaim the district. The Amendment at the end therefore did not take from the Lord-lieutenant the power given by the first part of the clause, though it appeared to do so, as far as tithes were concerned. But that was not his greatest objection to the clause. He objected to it more particularly because it gave the sanction of Parliament to a most improper distinction between tithes and other property, and deprived the clergy of that protection which was extended to every other class of his Majesty's subjects. He objected to it too, as the clause, if it meant anything went to put down tithes; and if it did not mean that, it meant nothing. Two years ago a party in Ireland had determined that tithes should be put down, and the Legislature had passed an Act to defeat their intentions, and compel the payment of tithes, yet that very Act was now to be defeated by the clause in question. Why did not the framers of the Bill begin their preamble with "Whereas it is expedient that no payment of tithe shall take place in Ireland." It would have been better to have done so at once, than thus to wink and connive at the injustice to which the Irish clergy were to be subjected by the Bill. There was another amended clause to which he would make some allusion—namely, that which related to combination to defeat the law. It was to the following effect:—"Provided always, that it shall not be lawful for any such Court-martial to convict or try any person for any offence whatsoever committed at any time before the passing of this Act: provided also, that nothing in this Act shall be deemed or taken to give to such Court-martial any power or jurisdiction to try any person or persons charged or to be charged with the printing, publishing, or circulating of any libel, or with any combination or confederacy contrary to the provisions of the said recited Statute of the 27th year of the reign of King George 3rd, or with any prevention or obstruction of any person, or any act to defraud any person in the assertion or enforcement of any civil right or claim contrary to the provisions of the said last-mentioned Statute, unless such combination or prevention, obstruction, or act, shall be accompanied by force or by threats; but that all such offences, unaccompanied by force or threats as aforesaid, shall remain triable according to the course of the common law." Their Lordships would bear in mind that Courts-martial could try no man except directed so to do by the Lord-lieutenant. They would also bear in mind, that the Legislature passed the Act 27th of George 3rd, referred to in the Clause for the protection of this species of property in the clergy. It contained this clause:—"And be it enacted, that any person who shall, voluntarily, enter into any unlawful combination or confederacy to defraud any clergyman of the Church of Ireland, or lay impropriator, of any tithes or dues, or any part thereof, or obstruct him in the collection thereof, or shall, by force, threats, or other unlawful means, prevent any clergyman, or lay impropriator, or any person or persons employed by him, from selling or disposing of any tithes, or do any act to defraud any clergyman or lay impropriator, of his tithes, or any part thereof, &c." Now it would be seen by the clause he had before quoted, that the Lord-lieutenant had the power to order all other offences to be tried before Courts-martial; but he was not allowed to order offences connected with the collection of tithes, so that the clergy were not to have the same protection as the rest of his Majesty's subjects. He said it would be disgraceful if such an Act found a place on the Statute-book. He wished the sentiment embodied in those never-to-be-forgotten words which fell from the lips of the noble and learned Lord on the Woolsack, at the beginning of the Session, in allusion to the Bill, had been acted on in the present instance. The noble and learned Lord then expressed himself in the following terms:—'The duties between 'the subject and the Government were 'reciprocal, and that Legislature, in which 'was vested the supreme power of the 'State, had no right to claim obedience to 'the law, nor had the Crown any right to 'claim allegiance, until that Legislature 'should secure, and that Crown command, 'complete and effectual protection for the 'life, liberty, and property of the subject. 'That Legislature was to be deemed as 'having abandoned its functions, and that 'Crown was to be considered in the hands 'of a usurper, and not qualified to claim 'allegiance, from the very moment it could 'be shown that the protection of the 'subject was at an end.'* He must contend that, if ever there was a case in which the protection of the Legislature was required for a body of men who willingly paid allegiance to the Crown, this was the case; and that, if ever there was a case in which it was clear that protection was refused, merely because it was the Church of Ireland and its property, which consisted principally of tithes, that demanded it, this, too, was that case. He objected to the first Amendment, because it gave a sanction for the spoliation of the Church of Ireland; and to the second, because it took away from the Lord-lieutenant the power of sending any offence which connected itself in any shape with tithe to be tried by Courts-martial. Their Lordships were in the habit of hearing a great deal said about the distress of the people of Ireland. Now, if there were distress in that country, it was attributable to the insecurity of property there, which prevented the rich man from engaging in those enterprises which might produce an increase of capital to himself, but were certain to produce an increase of employment to his poor labourers.

The *Lord Chancellor* said, if he thought those alterations objected to by the noble Duke could prevent the operation of the Bill, and leave the peaceable and loyal inhabitants unprotected, and deprived of that security which it was the main object of the Bill to give, he could not agree in sanctioning, but must refuse to adopt, such a clause. But because he had no such opinion he would concur in the Amendment. Had such a clause been proposed in that House, he should have agreed to it with great reluctance, because he looked upon it as absolutely and utterly inoperative. With regard to the other clause alluded to by the noble Duke, he did not consider it would, in the smallest degree, impair the efficiency of the measure. For these reasons he could not concur in the opinion expressed by the noble Duke. He had the greatest respect for the quarter whence the Amendment came. The authority of the other House must always carry with it great weight, but, in this instance, he must say he could see no sound reason or argument for the change, and it was with the greatest repugnance that he gave it his support. It would, however, be wholly inoperative, and could not have the slightest effect in modifying the measure, or diminishing that protection which they were bound to give to his Majesty's peaceable subjects. Objection was made to the clause because it did not apply to the peaceable refusal to pay tithes; but might not a complaint on the same grounds be also made, because it did not apply to the peaceable refusal to pay rent or just debts? Why, was it not said, that no district should be declared disturbed and insubordinate, on account of men not paying their tradesmen's bills, or on account of the non-payment of the King's taxes. Why, in short, was the Lord-lieutenant warned, not on any account to take a peaceable and quiet district for a disturbed and insubordinate one. But the patience of their Lordships was already sufficiently exhausted, without his dwelling for a moment longer upon this Amendment, which, in justice to those who proposed it, he must say was not without a precedent; for, he was sorry to observe, that the records of our Statute-book presented numberless instances of over caution, of contriving how to avoid doubts where doubts could never exist, and of introducing provisoes without any necessity whatever. However indefensible this Amendment might be in other respects, he must say, that it was utterly harmless and innocent. No man's rights were injured by it—no man's privileges were taken away or interfered with by it; and he was not prepared, on account of the Amendment in this clause alone, to dissent from the alterations made by the House of Commons. But it was said, that this Amendment gave an indication as if Parliament had different feelings on the subject of non-payment of tithes, from those which it ought to have; that it countenanced a belief that the Legislature was not so determined as it ought to be to protect all rights of property, and ecclesiastical property as well as any other property. He discovered nothing however in the rest of the measure, in the motives from which it was brought forward, or in the principles upon which it was framed, to give the least reason to suppose that Parliament was not determined, until the law should be changed, so long as the rights of landlords and tenants and of the Church should continue upon their present footing, to give to all those rights, and to all descriptions of property, ecclesiastical and otherwise, the protection to which the law of the land entitled it. And this brought him to consider the last section to which the noble Duke had referred—namely, the restriction of the power of bringing certain cases to trial by Courts-martial, by excepting offences cognizable under the 27th of George 3rd. Upon full consideration of this Amendment, he was inclined to think that those offences were well and wisely exempted from trial by Courts-martial. To this point it was but justice to say that, in his judgment the House of Commons had rather improved the Bill than altered it for the worse, although he confessed that the improvement never occurred to him when the Bill was before their Lordships. From the nature of those cases, he thought, on reflection, that they could not be well taken out of the hands of the ordinary tribunals. For offences of combination and conspiracy were the most nice, the most delicate, and the most difficult for Juries, nay, even for Judges themselves, as well as for Juries; they were, he said, the most difficult questions which in ordinary cases came before Courts of Justice. The nicety of the evidence and of the matter of the charge, as contrasted with the evidence, inclined him to think that it would be well to keep such cases in the ordinary Courts. But he had a second reason, and it was this; he was sure it was not the wish of the opponents of this Amendment, any more than of its supporters, to bring tithes into greater disrepute and odium than at present attached to them, and he thought that to embody such unpopular tribunals as Courts-martial for the purpose of enforcing tithe, would be to take a very injudicious mode of regaining for them the respect which they had lost in the public mind. A third reason which influenced his judgment upon the effect of this Amendment was, that there was an important limitation to the exception. Whenever these combinations were attended with violence, they were excepted from the exception, and left to be dealt with by the Bill as it originally passed their Lordships' House; that is to say, they were left to the jurisdiction of Courts-martial in proclaimed districts. As to any insinuations that might be thrown out against him, he disregarded them utterly and totally; he was going to say indignantly, but that his indignation was not at all moved by them. If he felt, as he did, a reluctance to resort to such a measure as the present Bill, and if that repugnance was only mitigated, never overcome, by the absolute necessity of the case, which left his Majesty's Government no choice but this measure, or some other equally objectionable; if concurring in the measure on this ground, anything had escaped him, or any oversight had been committed by him or his colleagues in framing the principles of the Bill, or devising the machinery by which they were to be carried into effect, were they to reject the suggestions of others, simply because they had not occurred to themselves, and because some factious or captious persons might say, "You passed these things over, and you are taking a leaf out of other men's books." He would never reject a leaf of another man's book, so that the book were better than his own, and that he had the choice between the two. He would therefore adopt this alteration. Even if it were against his better judgment, he might, perhaps, have been prepared to accede to it as all Ministers acceded to such alterations in all times,

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* Hansard (third series) xv. p. 752.

He believed his noble friend, if the noble Baron (Lord Ellenborough) would allow him to call him so, who made on this ground a charge of inconsistency against his Majesty's Government, was pretty nearly the only one at that side of the House who was entitled, if even he was entitled, to bring such a charge against Ministers. He could refer to the Six Acts, in which very important alterations were made; for instance, restricting their operation to meetings in the open air, and rendering them only temporary instead of permanent. These changes were adopted with great reluctance, and no charge of inconsistency was ever breathed against the Government of the day for complying with them. But it was said, that this Bill was totally different from the Bill as it was first brought in, and that it retained none of its effective provisions. What! was it nothing to enable the Lord-lieutenant of Ireland to make the attending any society whatever, whether under cover or in the open air, for whatever purpose convened, and however peaceably conducted, a misdemeanor, and to render the party punishable for attending at it? But it seemed the Bill made the great agitators free. Yes, if they chose to go to prison they were free; they were free if they chose to attend a meeting which might be innocent or laudable in itself until the proclamation of the Lord-lieutenant made it illegal. But then the agitator was not to be tried by Court-martial, while his dupe, his cat's-paw was. Could any man give any other than one answer to a plain question which he was about to put? Courts-martial were to exist only in proclaimed districts. Now, he asked, could there be any agitation in proclaimed districts? The answer was, that the cat would as soon go voluntarily into the fire, as the other animal thrust himself into a proclaimed district. The Bill was still a very effective one. That alteration in the Bill which enabled the police at any period to ascertain in a short time the inmates of a house by having a list of them, had increased its severity and efficacy. As much had been said against the House of Commons for depriving the Bill of its efficacy, he must do them the justice to say, that in this point they had increased the efficacy of the Bill.

The Duke of *Buckingham* complained of the noble and learned Lord on the Woolsack having employed all his ingenuity and all his skill to lead the attention of the House away from the point at issue. The noble and learned Lord seemed aware that the month of March had expired, and that he was therefore at liberty to make April fools of their Lordships. Nothing could be so ridiculous, so feeble, so burlesque, as the noble and learned Lord had made this piece of legislation appear, which the noble and learned Lord had nevertheless supported. If he had wanted arguments against this part of the Bill, he should have found them in the statements of the noble and learned Lord and of the noble Earl. That it was totally unnecessary had been proved by the noble and learned Lord. The noble and learned Lord had been prolific in abuse of the clause of the noble Lord the Chancellor of the Exchequer, of the right hon. Gentleman who was Secretary for Ireland, and is now Secretary of State for the Colonies, and of the unfortunate Gentleman who proposed, and those who supported the Amendment, though the noble and learned Lord called them his political friends. He should not lavish his abuse upon them in imitation of the noble and learned Lord; he should content himself by saying that the proviso was useless, and mischievous because it was useless. It was to him a strong objection that by it tithes was the only species of property that was not protected by this measure. Those who proposed this proviso seemed to have no objection to give a broad hint to the clergy of Ireland that they were not to be protected. He did not say that there was such an intention on the part of Ministers, but it seemed, by their assenting to this clause, that they had no objection to prostrate the Protestant Church of Ireland. This was, in his opinion, the first step towards the ruin of that Church. Whether it had been well done or not he did not say, but it was by means of that Church that Ireland had been governed; and he desired to know, if its place were not supplied by something equally strong, what was to prevent the separation of the two countries? They must make the King the head of the Catholic Church, or they would not be able to preserve the Union.

The Bishop of *London* agreed with many of the observations which had fallen from the noble Duke. When he had heard the noble Lord on the Woolsack take such pains to demonstrate the absurdity of this proviso, and its incongruity with the other parts of the Bill, he could not do otherwise than hope that the noble and learned Lord meant to resist it. He agreed with the noble Duke that it would make the Bill inoperative, and worse than inoperative. They were not to judge of the feelings of the Irish by the feelings of well-educated Englishmen. Certainly, the clause would not, in the minds of the English, sanction the non-payment of the dues of the Establishment. They would discriminate between the sanction and the prohibition to the Lord-lieutenant. But the Irish, he was afraid, would suppose that this limitation was meant for a settled purpose, and that purpose, they were likely to suppose, was the encouragement of tithe-payers not to pay tithes. That such would at least be its effect, it was not possible, he believed, to deny. As a minister of the United Church of England and Ireland, he could not sanction the Amendment. The only objection, perhaps, which could be made to rejecting the Amendment was, that it would delay the Bill, and that the Bill was necessary to tranquillize Ireland. But he did not believe that rejecting it would cause any serious delay. It was owing, he understood, to peculiar circumstances and to misapprehension, that the proviso was carried at all. He anticipated, therefore, if the Bill were sent back to the Commons with the clause struck out, that it would occasion no discussion, and he believed would not be followed by a division. If their Lordships divided on the clause, he could not withhold his support from those who objected to this Amendment.

Lord *Plunkett* said, that the clause was of trifling importance when taken in conjunction with the rest of the Bill. It did not, in fact, exonerate the non-tithe-payers from any of the enactments or provisions of the Bill, nor was there any disposition in the Government to encourage them not to pay their dues. When an accusation was made, that Ministers sought to prostrate the Protestant Church, their Lordships ought to look at the conduct of Ministers, to see what they had done, and what they proposed to do, and their Lordships would find in that, a complete refutation of the opinion that such was the intention of Ministers. Government, in fact, had brought on itself a great deal of odium, and had exposed itself to much obloquy, by exerting itself to collect the tithes. Its exertions on that point, he had a right to complain, were not met by that corresponding support from the other side which it was entitled to expect. The clergy, he admitted, were in great distress; but it was by facts—not suppositions or reports in newspapers—that the intentions and conduct of Government should be judged. He was sure that no instance could be adduced in which the Government had refused to employ the military or civil force to support the clergy. He was of opinion that the clause, as it now stood, gave the clergy much greater protection than they had before. It made the combination to resist tithes liable to be tried by a Court-martial. It was intended to protect, and it would protect, the property of the clergy.

The Bishop of *London* wished it to be understood, that his observations had been exclusively confined to the proviso in the fourth clause.

The Duke of *Buckingham* could assure the noble and learned Lord that he judged of the Ministers by their acts alone.

Lord *Wynford* objected to the proviso. There might be a conspiracy in a district to prevent the payment of tithes, while, by this proviso, the Lord-lieutenant would be unable to proclaim it. He considered that the property of the Church was most sacred, and ought to be protected to the utmost.

The Marquess of *Westmeath* supported the Amendments, not because he approved of them, but because he thought opposition might delay the Bill, which was much wanted in Ireland.

The Earl of *Roden* said, that this was the only Amendment to which he should object. He considered that the clause as it now stood would stultify their Lordships' whole proceedings on this Bill. To him the clause appeared totally unintelligible, useless, and foolish. It was the produce, indeed, of an inveterate feeling against the Protestant clergy. It came from the inveterate enemies of that Church, and he was determined to take the sense of the House upon it. This proviso was originated and supported by gentlemen in the other House, who openly and fairly declared what their object was in carrying measures of Church spoliation into effect. He found fault with his Majesty's Government for conceding this point—certainly not with the noble Earl personally, but with the noble Earl's colleagues in the other House, for consenting to a clause which they themselves condemned. His Majesty's Government now asked their Lordships to consent to a clause, the folly of which they admitted. But if they found fault with it, they were bound to act upon their opinion; and he trusted they would not, for the sake of a delay of twenty-four hours, suffer so objectionable a proviso to pass. He knew that his Majesty's Ministers were very obnoxious in Ireland. They were obnoxious to both parties; but that they had rendered themselves obnoxious by any exertions which they had made to enforce the payment of tithes he utterly denied. It might be true that the Government never refused any application made by a clergyman for military aid; but that was not enough; something more was required; for there were many clergymen in Ireland who would, and did endure the most severe privation, rather than run the risk of being instrumental in the shedding of human blood. The Government had omitted to give sufficient proof of the wish that tithes should be collected. There was one case which recurred to him at that moment which proved his assertion. A Magistrate of the county of Meath had, some time since, presided at an anti-tithe meeting in a Roman Catholic chapel, where he and those present had entered into resolutions not to pay tithes; and yet that Magistrate still remained in the commission of the peace, though his conduct had been fully represented to his Majesty's Government [*Name*]. He had no objection to name. The Magistrate who presided was Mr. Taaf, of Meath county. He certainly thought his Majesty's Government had to answer for the present state of things in Ireland. He knew several cases in which farmers had said, "Let the Government show that they are in earnest in wishing tithes to be collected, and we will pay them; but under the present system of intimidation we dare not." He believed that much of the blood which had been shed in Ireland must rest upon the heads of the Government.

Lord *Wharncliffe* much regretted the alteration made in the other House of Parliament, which was admitted to be perfectly useless. He felt as unwilling to delay this Bill as the noble Earl opposite, but he could not admit that for the sake of a delay of twenty-four hours they were to permit this clause to remain. It was said on the other side that it was totally inoperative; but though it might be inoperative, it did not therefore follow that it was innocent. When one side admitted it to be absurd, and the other believed it to be far from innocent, he hoped the House would not, for fear of a delay of twenty-four hours, consent to pass the clause in its present state.

Earl *Grey* entreated the noble Lord and the House not to believe that the rejection of this clause would lead to a delay of twenty-four hours only. The consequence of its rejection would be a conference between the two Houses, and it would be utterly impossible for them to get the Bill through before Easter, unless they sat after Good Friday. So long a delay would be productive of great inconvenience and danger. He did not take upon himself to defend the clause; he agreed with his noble and learned friend on the Woolsack. He much regretted its introduction. But it would not, in the slightest degree, diminish the efficacy of the Bill, for the clause was totally inoperative, and for that reason, and to avoid delay, he was prepared to waive his objections. With regard to the conclusions which would be drawn in Ireland from the introduction of this clause, he thought there had been much exaggeration on the part of those who objected to it. There was nothing like a disposition on the part of the Government to give less protection to tithes than to any other species of property. He quite agreed with his noble friend that they were entitled to equal protection. He denied—he indignantly denied—that the Government had ever refused to give equal protection to tithe-owners as to the owners of other species of property; and if he believed that it would encourage any such delusion as had been stated, he would most certainly reject the clause. But it would go forth to the country with a complete disclaimer on the part of the Government, and he could not anticipate any such results as had been predicted. He regretted those general observations which had been indulged in, and the general attack which had been made on the members of the Administration; but he would say this, that had those parties who were loudest in blaming the conduct of the Government in Ireland been as anxious to repress the first symptoms of disorder there, as to avail themselves of them as a means of embarrassing the Ministry, the present measure of coercion would, in all probability, not have been required. The Government was most anxious to suppress disturbance by a vigorous exercise of the powers of the law as they found it, and it was not until they found these powers unavailing, that they felt themselves justified in calling for additional authority. The present Bill left the clergy in full possession of all the powers they now had to collect their tithes, and gave them the same protection that it held out to all other owners of property. He should, therefore, vote for the clause as it stood.

The Earl of *Harrowby* said, that what had fallen from the right reverend Prelate had rendered it unnecessary for him to state his view of the question. The people of Ireland would look to the parties who proposed the clause, and, knowing that they introduced it with ulterior views, they would believe those ulterior views to have obtained the sanction of Parliament if the clause were suffered to remain. Yet so strongly was he impressed with an apprehension of the evil consequences of delay that he would rather swallow the pill, bitter as it was, than lose time. He thought, however, that the clause might be rendered harmless without requiring the delay supposed by the noble Earl. To make a conference necessary there must be an alteration of the proviso; but, if only certain words were introduced, the Amendment upon the Amendment might be agreed to in the other House and the Bill sent up. The great evil of the clause as it stood was that it made a distinction between tithes and other property. It was admitted, that this distinction would be inoperative, and it had, therefore, occurred to him, that by the introduction of some other grounds of exemption the distinction itself would be destroyed. He should therefore move, after the words which made it not lawful for the Lord-lieutenant to apply the provisions of the Act to meetings relating to the payment of tithes, to insert the words "or rent or taxes."

Viscount *Melbourne* objected to the Amendment, as likely to lead to a very great discussion and delay. Besides, if it really was the opinion of the noble Lord opposite, that the exception of tithes would create an impression that tithes ought not to be paid, the addition of the words "rent and taxes" would only have the effect of extending that impression to them.

The *Lord Chancellor* could not concur in the proposition of the noble Earl. He quite agreed with his noble friend who spoke last. It would create new grounds of discussion. He was quite confident that the introduction of those words would prove a fruitful source of delay, discussion and opposition in the other House. It had been suggested, that the insertion of those words might induce the peasantry of Ireland to evade rent and taxes as they evaded tithes, and to make them believe, that the evasion would be looked upon with a lenient eye—such an inference would be most illogical and erroneous; but was not more illogical, or more erroneous than the original supposition that this exception of tithe in any way warranted or justified its non-payment.

Lord *Ellenborough* said, he should greatly prefer the omission of the Clause.

The House divided on the Amendment, when there appeared—Not content, present 46; proxies 39—85:—Content, present 40; proxies 5—45:—Majority 40.

The Clause as amended by the Commons agreed to.

On the Amendment on the Clause respecting the search for arms being read,

Lord *Ellenborough* said, he thought the alteration impaired the efficacy of the Bill. If it was intended that they were not to go into a house and desire the inmates to come forth till the lists were ready, great delay would be occasioned—indeed it must necessarily occupy some time before the census could be made. He would, however, offer no opposition to the Amendment, though he considered it necessary to put on record his opinion upon the subject.

The Amendments made by the Commons were all agreed to.

List of the NOT-CONTENTS.

Present.

The Lord Chancellor

DUKES.

Devonshire
Norfolk
Richmond
Somerset
Sutherland

MARQUESSES.

Cleveland
Lansdown
Westmeath

EARLS.

Amherst
Cawdor
Charlemont
Denbigh
Fitzwilliam
Gosford
Grey
Gower (Stafford)
Rosebery
Sefton

VISCOUNTS.
Melbourne
St. Vincent
LORDS.
Alvanley
Auckland
Byron
Cloncurry
Dinorben
Dundas
Foley
Goderich
Hill
Holland
Howland (Tavistock)
Lynedoch
Lilford
Minster (Conyngham)
Monteaglé (Sligo)
Poltimore
Paget (Uxbridge)
Panmure
Plunkett
Somerhill (Clanricarde)
Suffield
Saye and Sele
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Sundbridge (Argyll)
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HOUSE OF COMMONS,

Monday, April 1, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. HAWES, Account of all Money Received and Expended, including Bequests, Donations, and Contributions, for the British Museum.—On the Motion of Mr. BARING, the Number of Persons having Deposits in Savings' Banks and Friendly Societies, the Funds of which are in the hands of the Commissioners for the Reduction of the National Debt.—On the Motion of Mr. HUME, the Amount of Compensation, if any, granted to the late Commissioners of Bankrupts.—On the Motion of Mr. Alderman WOOD, the total Quantity of Foreign Wheat admitted for Consumption, and the Duty paid thereon, from 15th July, 1828, to 1st April, 1833; and the same for all other kinds of Grain: also the Amount of Money paid or claimed as Drawback on Malt, or Malt Spirits, under 1st and 2nd George 4th, cap. 82, &c., up to 5th April, 1833.

New Writ issued. On the Motion of Mr. FINN, for the Borough of Montgomery, in the room of Mr. PUGH, whose Election was declared null and void.

Bills. Read a second time:—On the Motion of Mr. LOCH, Burgh Police (Scotland). On the Motion of Mr. LAMB, Justices of the Peace.—Read a third time:—Marine Mutiny.

Petitions presented. By Mr. MURRAY, from Tavistock, in favour of Triennial Parliaments and Vote by Ballot; and from Leith, against granting Exclusive Privileges to the East-India Company.—By Mr. SHAW, from a Number of Places, against the Church of Ireland Bill.—By Mr. COBBETT, from the Protestant Dissenters of Oldham, that their Places of Worship might be exempted from Rates; and for an Alteration in the Law as regarded Marriage and Baptismal Registrations; from the Council of the National Political Union, for a Repeal of all Taxes on Articles of Consumption; and an Equitable Property Tax; from Wigham, against the Stamp Duties; from Thomas Bradford, complaining of the Local Taxes; from Joseph Stow, against the Emancipation of the Jews.

THE THAMES TUNNEL.] Sir *Edward Codrington* presented a Petition from the proprietors of the Thames Tunnel, praying for aid to enable them to complete that work. The gallant Admiral said, the work was peculiarly entitled to the support of the House. The petitioners had already expended 170,000*l.* in prosecuting it, and surmounted difficulties which were never contemplated. They had worked through water and rock, and what was still worse, they had worked through loose and shifting sand. They had already shown the practicability of the undertaking, and the only difficulty now, was the want of funds. If, then, there was such a necessity for so many bridges in so short a distance as between London Bridge and Westminster Bridge, it was but reasonable to believe, that in a place two miles below London Bridge (there being no intervening bridge), such an undertaking as the

Tunnel would be of great practical utility. The two intervening bridges, Southwark and Waterloo Bridge, had gained 20,000*l.* a-year since they were constructed. Waterloo Bridge paid to the shareholders 14,000*l.* a-year, and Southwark 6,000*l.* In July, 1811, there passed over London Bridge 99,000 persons; and, in the same month of the same year, over Blackfriars, 66,000 persons. So that it was not too much to say, that this Tunnel—a sort of Irish bridge, since it passed under water—would be of great utility. If the Tunnel were completed, vast quantities of goods would pass through it from the Commercial Docks, which now had to be carried four miles round by London Bridge. If Government would purchase the property, or allow it to be sold by lottery, the petitioners would be happy to come forward and meet such a proposition. In the United States, lotteries were granted for charities, and in London there was now a lottery for some property in Glasgow. The gallant Officer moved that the petition be brought up.

The *Speaker* inquired the prayer of the petition, and on being informed what it prayed for, he decided, that before it could be received the sanction of the Government must be given.

Petition withdrawn.

SIR JOHN SOANE'S MUSEUM.] Mr. *Cobbett* said, he had a Petition to present against Soane's Museum Bill, which it was proposed to have read a third time that day. The petition was from Mr. George Soane, the only surviving son of Sir John Soane. The petitioner, after stating that the passing of the Bill would be to sanction a violation of those laws by which the society was held together, and that his father must have been improperly importuned and persuaded at the ninth hour before he could have been induced to alienate so large a portion of his property, since, if he had contemplated such an act for any time previously, he must have made up his mind to take the necessary steps before he had arrived at a period of a natural decay. The petitioner prayed to be heard in person, or by Counsel or agent, at the Bar of that House against the passing of the Bill, or that the House would take such other steps as it might deem meet to prevent the object of the Bill. If the House agreed to the Bill, they would reverse the fundamental laws of hereditary succession, and of testamentary law. He thought it necessary to observe to the House, that he had never either seen Sir John Soane or his son until four days ago, when the latter gave him that petition to present. When the third reading of the Bill was proposed by the hon. Member who brought it in, it was his (Mr. Cobbett's) intention to move an Amendment. He was informed, that upon the marriage of Sir John Soane, he received 30,000*l.* with his wife, and that George Soane, the petitioner, had several children, all of whom with their father were in distress. He admitted, that the son might have given the father great cause for offence, but he (Mr. Cobbett) considered that the offence of the son ought not to be visited on the poor grandchildren. Hon. Members knew that the law compelled a man not only to support his children, but his grandchildren, and his great grandchildren; and he thought the House could not justly sanction an appropriation of property, by which the grandchildren of Sir John Soane must suffer, and which would be the case, if the present Bill passed into a law. Besides, the Apostle Paul said, if a man take not care of his own house, he has denied the faith, and is worse than a heathen. He therefore hoped, that the House would pause a little before it sanctioned the third reading of the Bill.

Mr. *Hume* trusted, that the House would not be led away by the statements of the hon. member for Oldham, that the Bill would do the most serious injury. He fully agreed with that hon. Member in his observation, that the Scriptures required that we should provide for our children and the law enforced the obligation even to our grandchildren; but there was one allegation which the hon. Member had made, to which he wished to call the particular attention of the House. From the hon. member for Oldham's statement, it would appear, that the children of the petitioner, Mr. George Soane, after his death, would be the heirs of Sir John, and that the petitioner was the only son Sir John Soane ever had. That was not the case; but the fact was, that the children of the elder son, who was now dead, would be the heirs-at-law of Sir John Soane; and if Sir John were to die to-morrow, the whole of his property would go to those children, and the petitioner and his children would not be entitled to a farthing. However the case might be—whether the petitioner was entitled or not—whatever rights he had, there was a clause in the Bill reserving to him and all other persons the right of sueing the same, as if the Bill had not passed; and all that the present Bill did was, to enable Sir John Soane to transfer the right he held in his own person to two dwelling-houses, of making them the places where the Museum was to be placed. There was a clause in the Bill reserving to George Soane, the petitioner, and to all persons whatever, every right and title, exactly in the same state in which they now possessed it. The Committee who had sat upon the Bill had heard Mr. George Soane against its different clauses, they had entered most fully into all the circumstances connected with the case, and were unanimously of opinion, that there was no act of injustice committed by the Bill to any individual whatever. He therefore trusted, that he should be allowed to carry forward the Bill, and that the House would not entertain for a moment the idea of postponing the consideration of the third reading, after the question had been so fully gone into in the House of Lords, who were so strict about rights of this description, and by the Committee which had been appointed to inquire into the merits of the Bill.

Mr. *Briscoe* trusted that the House would postpone the consideration of the third reading of the Bill, as he had been enabled to make himself master of very few of its provisions; but from what little he had heard of the subject, he considered it a case of extreme hardship and great moral injustice. If the objects of art left by Sir J. Soane were sent to the British Museum, it would be of more use to the public, and a large sum would be thus saved for the grand-children. He suggested that it would be proper to delay the third reading of the Bill until hon. Gentlemen should have made themselves more fully acquainted with its object.

Sir *Robert Peel* said, in the present instance a gentleman of great eminence in art had devoted his own money to the accumulation of most valuable relics. He had done so by denying himself indulgence which other persons in an equal station of life generally enjoyed; and he proposed to present that valuable collection—a most liberal act, indeed, on his part—to the public; and all that he now asked for was an Act of Parliament to put an end to all questions as to the validity of that gift. As to the gift itself, he thought that the House and the country ought to receive it with the greatest thankfulness, and in the most gracious manner. With respect to the suggestion which had been thrown out by the hon. member for Surrey, as to the property being placed in the British Museum, he meant to propose a clause on the third reading of the Bill, the object of which would be to place the property in the British Museum, thereby saving the expenditure of a great deal of money upon a separate establishment.

Lord *John Russell* hoped that the clause which the right hon. Baronet had to propose would answer all the purposes contemplated by the hon. member for Surrey. He trusted, however, that that clause would leave it to the discretion of Sir John Soane.

Sir *Samuel Whalley* said, that Sir John Soane only exercised a power vested in him by the common law of England, and that there was no claim on the part of the petitioner, either in law or equity, or any substantial reason why the third reading of the Bill should be postponed.

Mr. Hume moved that the Bill be read a third time.

Mr. *Cobbett* knew nothing of the law as it related to the disposition of property, and perhaps in that point of view Sir John Soane had the law on his side, but he considered it, and he thought the House should consider it, as a question of morality. He knew, however, that the law and the precepts of morality, as far as he understood them, required man, as far as as possible, to protect and give every necessary sustenance to his children and grandchildren; but by this Bill the House was called upon to aid and assist in withholding from the donor's grandchildren that sustenance to which they were entitled, and which they needed. Would that House be party to a withdrawal from this gentleman's grandchildren of their rights of sustenance? Would it countenance so unnatural an act? He hoped not, and that the House would not agree to the third reading of the Bill. It appeared that Mrs. Soane (Sir John's wife) brought him 30,000*l.*, but he alleged there had been no settlement. Who was to say how much of celebrity and renown arose to Sir John Soane from the possession of that 30,000*l.*? Perhaps it had been the occasion of the whole of his celebrity and property; and he held (as he was sure every other Member of that House would), that if a man received money by his wife, he had no right to dispose of it, although there was no settlement binding him. He had no moral right, at any rate, to dispose of it in any way whatever, otherwise than in the way the wife agreed to have it disposed of. By this Act, however, the donor was taking a maintenance from the wife's grandchildren, for they were her grandchildren as well as his. Let any man, he would say, lay his hand to his heart and say if such an act could be considered a just proceeding on the part of the grandfather. He should, therefore, give his opposition to the Bill, in order to show, by the records of the House, that there was at least one Member who had felt it his duty to protest against this unnatural proceeding. The hon. Member concluded by moving—"That Soane's Museum Act be referred to a Select Committee, or to the Judges, for them to report their opinion to the House, how far an Act of Parliament, declaratory of the intentions of a certain individual therein named, can be taken to be a conveyance in fee of an estate in trust to be hereafter created by his will, supposing he should omit to complete the same by his will, or should direct his will to be drawn, when by subsequent evidence he may be proved to have been incapable of dictating or proving of the same."

Mr. J. Feilden seconded the Amendment.

An *Hon. Member* considered it to be most ungrateful to insult an individual who had so liberally come forward to present so munificent a gift to the nation, and refuse to accept such a gift but upon certain terms. The hon. member for Oldham appeared to assume that the property in question was purchased with the money of the petitioner. If it were not so, the argument of the hon. Member must fall to the ground. It was most monstrous to suppose, that in a free country, like England, a man had not a right to dispose of his property as he pleased. What greater tyranny could be committed, than preventing, by legislative interference, a man from disposing of his own property? He considered the proceeding, and the line of argument adopted by the hon. member for Oldham, as most extraordinary.

Mr. *Hume* hoped the public would not be misled, or imagine for one moment that the House would commit an injustice towards any individual by agreeing to the wishes of a Gentleman who had come forward in the handsome and liberal manner that Sir John Soane had. What were the facts of the case? It was stated that Sir John Soane had derived a great portion of his property from his wife, and that he had left his money to other branches of his family, omitting all mention of the son who petitioned that House; but the House should be put into possession of this important fact—the father had settled 20,000*l.* upon the children of an elder son (who was the heir-at-law), and that the younger son, the petitioner, had received from Sir John Soane more than that sum already. It would be a gross injustice, if the House were to step in and say to Sir John Soane he should not dispose of his property as he pleased. He greatly regretted the family differences which existed between the father and the son; but the House must see, that such differences ought not to prevent Sir John Soane from disposing of his valuable and magnificent collection according to his own feelings. In the Committee which had been sitting up-stairs, it was asked the petitioner if he had any claim upon the property at law; the petitioner answered "No." "But," said the petitioner, "he might change his mind before he died, and feel disposed to leave me some portion of the property in question, which the Bill now under consideration would deprive him of the power of doing." Sir John Soane had other large means at his command. This Museum was but a part of that large fortune which he had acquired by his unwearied industry and splendid talents. If the House were to cast any stain upon Sir John Soane, he considered it would be most ungrateful. He was happy to hear of the proposition for depositing the bequest in the British Museum; that was undoubtedly the best place for it, if that plan met Sir John Soane's approbation.

Mr. *Hodges* was upon the Committee on the Bill, and could say, that all the Members were unanimous in their Report. Valuing the bequest highly, and conceiving that no injustice was done to any one, he should give his support to the Bill.

Mr. *Baring* begged to observe, that the present mode of proceeding was of a most novel character. When individuals had formerly presented property to the British Museum, or to any other national institution, was it ever inquired of them if they had the power so to dispose of it? He had no doubt but that the hon. member for Oldham was actuated by good motives. The House had only to consider whether it would receive the splendid gift in a gracious or an ungracious manner. There were no possible grounds for any further delay taking place in the passing of the Bill.

Amendment negatived; Bill read a third time.

Sir *Robert Peel* said, he had a clause to propose, which might, perhaps, answer the objections of the hon. member for Oldham. The effect of the clause would be to enable Sir John Soane, at any time after the passing of the Act, to bequeath all his valuable relics to the British Museum, instead of placing them in two houses, the property of Sir John Soane, in Lincoln's Inn-fields. Those two houses, by the clause, would thereby be placed again in his absolute power and control, and also so much of the Bill as related to the money; he would have the whole control of disposing of the 30,000*l.* and the two houses as he pleased. The expense of keeping up two establishments was unnecessary, and by the proposed clause, the expense of a separate establishment would be saved. There were abundant reasons why the public should not derive any benefit from the large sum of money which Sir John Soane had proposed to place at its disposal. Let the public restore to Sir John Soane the whole power over that money. So far from discouraging such splendid gifts he was for receiving them, and acknowledging them in the fullest and most handsome manner, and he hoped that Sir John Soane would consider whether he would not better promote the object he had in view by placing the relics in the British Museum, and having the collection called by his own name, than by placing them in a separate establishment.

The Clause read a first time,

On the Motion that it be read a second time,

Mr. *Hume* said, he highly approved of it, and he hoped the hon. member for Oldham would see that it accomplished the object for which he had contended. He (Mr. Hume) could not, however, help thinking, that Sir John Soane might still find it tend to the advancement of science, if he added to the valuable collection by endowing it with 500*l.* a-year, or any portion of the 1,100*l.*

Sir *Samuel Whalley* was of opinion, that great facility would be afforded for inspecting the collection, if it were removed to the British Museum. He must, however, complain that it was not continually open. He had been disappointed of seeing the British Museum on two or three occasions, in consequence of having mistaken the days of exhibition, and he would, therefore, suggest that more trouble should be taken to apprise the public when the exhibition was open, and when closed, which might be done by occasional advertisements in the daily papers.

Mr. *Baring* stated, that if the public were admitted every day, as on the days of public admission, when there were generally more than 2,000 visitors passing through the rooms, it would be impossible for the officers to perform their duties. He would assure the hon. Member (Sir Samuel Whalley) that there would be no difficulty in his admission on any of the six days of the week. [*The hon. Member dissented by saying that he had found difficulty.*] If such then had been the case, it must have been because the hon. Member went as a casual visitor, and had not made a particular application to the librarian, who he (Mr. Baring) was convinced would admit any gentleman who came there for any purpose connected with science or art. The question of holidays—of reducing the two months' holidays to one—was now in course of consideration; but he begged to assure hon. Members, that even during these holidays, no foreigner or any person decently attired in pursuit of particular information was ever refused admittance.

Mr. *Morrison* was aware that it had been stated that there were 123 days in the course of each year on which the public were admitted, and supposed therefore his own applications must have been peculiarly unfortunate. Within the last two years, however, he had made at least a dozen attempts to obtain admission, but had always called upon a wrong day. He thought that there was another class of the community deserving of equal attention with artists, and those were the manufacturers. At this season of the year, a vast number of persons interested in manufactures of the country came to the metropolis for the purpose of obtaining information, and on their account he would, if possible, have the British Museum opened every day in the week during the months of April, May, and June. It was not enough that upon application to the public officers of the establishment those persons might obtain admission, because all persons who knew anything of the institutions of this country must have experienced how repulsive it was to make applications to public officers when any difficulty could be thrown in the way of granting the required favour. He could not permit himself to lose this opportunity of expressing how extremely grateful he felt to the gentleman who presented to his country a collection of which it stood so much in need. This country was very deficient in the means of teaching the higher branches of art, and much needed some institutions similar to those which were found on the Continent. He doubted whether the public money could be expended so beneficially in any other way as by establishing schools for teaching art and science.

Mr. *Cobbett* remarked, that the hon. member for Essex had said, that if the British Museum were open for a greater number of days than at present, there would require more attendants than were now engaged. Now, upon that, he would only remark, that out of the 16,000*l.* expended in support of the Museum, the sum of 10,000*l.*, within a fraction, was expended for attendance. That was all he would say upon that point. And then, the hon. Member had said, that if any person in a decent dress (the hon. Member had not defined what he meant by a decent dress)—but he had said, that if any person with a decent dress applied for admission when the Museum was shut, he would obtain it. Now, he (Mr. Cobbett) thought it right to observe, that those who had not decent dresses were required to pay for the maintenance of the Museum. The chopstick in the country, as well as the poor man who mended the pavement in town, had to pay for the support of this place; and, if they derived no benefit from it, they ought not to be compelled to pay for it. It happened, too, that the hours during which it was open were just such as were most inconvenient to the labourer and the tradesman. What were those hours? Why, from ten in the morning till four in the afternoon; just the time when persons engaged in business were the most actively employed. It should be open, in summer, at all events, from six in the morning till ten at night, if it were intended for general utility. But if it were only intended for idlers and loungers, then it could not be better managed than it was at present. It was shut up during two months in the year also, exclusive of the other holidays. And what were those months? Why, September and October. The long vacation; when all the lawyers and parsons, and lords and loungers, were out in the country enjoying shooting. It was then that the Museum was shut up; and yet they were told that it was intended that the people should have the benefit of the institution.

Mr. *Roebuck* trusted, that something would be done for the purpose of having the British Museum opened on those holidays, and those days when the working classes were able only to attend it, such as Christmas-day, Good Friday, and even on Sundays [*No, no.*] He begged to remind hon. Members, that such exhibitions were always kept open on Sundays on the Continent.

Mr. *Pryme* thought, that if such exhibitions were kept open to a later hour, to a period after the mechanic had left his work, every purpose would be answered without resorting to the extreme expedient of keeping it open on Sundays.

Sir *Robert Peel* was of opinion, that immense advantage would accrue, if the most public notice possible was given of the hours and days on which the Museum was open. He knew that many persons coming from the country, who were extremely desirous of seeing the British Museum, were disappointed because they happened to go there on a day on which it was not open.

Mr. *Baring* agreed with the right hon. Baronet opposite, that it would be most desirable that a distinct and general notice should be given to the public of the days and hours on which they could get access to the Museum; but not only during the holidays would any person applying for admission, either for scientific purposes or any known artists, be admitted; but any person from the country, stating, that he was obliged to leave town the next day would find ready access given. As to keeping the Museum open on Sundays, Good Fridays, and days of that description, he must confess, though he was no extreme puritan, he should be very sorry to see the Legislature go that length, and he was quite sure that the sense of the country would be against any such proposition.

The Clause agreed to, and the Bill passed.

CASES OF RICHARD NEWSHAM AND JAMES ROTHWELL.] Mr. *Cobbett*, having presented several petitions, said he must take that opportunity of reverting to a petition which he had previously presented, and which he was prevented from then explaining. It was of Richard Newsham which stated, that he was a soldier in the fifty-third regiment, in March, 1831, at Gibraltar. On the 10th of that month he was discharged from the hospital, where he had been confined by illness; and on the 13th he was desired by the serjeant to show his kit and ammunition. He was asked why his ammunition was not wrapped up? He answered, because he had not got the proper paper; that he went to the canteen for the paper, but could not get the proper kind there; that the case was reported to Captain Shakspear Phillips, who ordered him three days' drill. The petitioner stated, that he had been unable to get the proper kind of paper, when the Captain used some very blasphemous language, and ordered the serjeant to send him to drill. The petitioner said that such language ought not to be used to any man; upon which the Captain ordered him into confinement, from which he was taken to be tried before a Garrison Court-martial, which sentenced him to receive 500 lashes; but General Don, who was the Governor of Gibraltar, thought the offence comparatively slight, and he mitigated the sentence to 300 lashes, which Newsham received, and from which he suffered most severely; that while he was lying in the hospital, he reported the case to Lieutenant-Colonel Constantine, who promised that a Court-martial should be held upon Captain Phillips, but of that he never heard more; that afterwards he applied for leave of absence to Captain Carnaby, which was granted; but as a non-commissioned officer was not present at the time, Captain Carnaby afterwards denied that he had given such leave, and he was reported as being absent without leave, for which he was called before a regimental Court-martial, and ordered to receive 300 lashes. At the trial he was asked, whether he had any objection to the Court; and he, being under feelings of great irritation, said, "No, nor to that," showing a razor which he had in his hand, having been carried away from the guard-house while in the act of shaving; that he was confined for thirty-nine days in the hospital, from which he was again sent to the guard-house, and again brought to trial, and sentenced to be transported for life; that he arrived at Chatham as a convict, from whence he petitioned the King, and was released; that he then was ordered to join another regiment in the North; shortly after which, he applied to Major Butler, the commander, for the minutes of the Court-martial; that the Major answered him with oaths, and in order to frighten him, stated, that if he mentioned the subject of the Court-martial again, he should be brought before another one, and most severely punished; that he made a report of the case to General Bouverie, the General of the district, who promised that a Court-martial should be held upon Major Butler, but of that he had never heard more. Finding that he could get no redress from superior officers, being at Stockport, he applied to an attorney there to see what redress he could procure for him. The attorney wrote to Major Butler, demanding satisfaction on the part of the petitioner; upon which the Major sent for him, and demanded to know what satisfaction it was he wanted? The petitioner was afraid of committing himself by any answer, referred the Major to his attorney, till at last, goaded on by the orders of the Major, he said, "Sir, you must find it out;" for which expression he was confined fourteen days on bread and water; from that confinement he was released by General Bouverie himself; but, as yet, he had received no redress. The petitioner prayed the House to take his sufferings into consideration, and to investigate into the conduct of Captain Phillips and Major Butler. Affixed to the petition was the certificate of a Magistrate of the town of Kingston-on-Hull, from which it appeared that the petition had been read over to the petitioner, who had sworn to the truth of the facts contained in it. He should, on another occasion, give notice for the production of a copy of the petition, and when that was produced, he should move for copies of the proceedings of the several Courts-martial. He had another petition from a man who resided in Oldham, named James Rothwell, whose case, every man, he thought, must admit to be peculiarly hard. He would not pretend that Newsham did not behave ill, because he thought that a man would not be punished unless he had committed some offence or other; but 500 lashes on his naked back for not having his ammunition wrapped up in proper paper, and 300 for giving a rude answer to an officer, were severe and cruel sentences, disproportionate to the offences. The petitioner, James Rothwell, however, had committed no offence. He stated that he had been bred a weaver, but in April, 1812, he enlisted in the Royal Dragoons, and joined the regiment in Spain. He was present at the Battle of Waterloo, where he received three wounds, one of which he felt the effects of up to the present period. He was discharged in 1816, with a pension of 9*d.* a-day for his wounds, and he continued to receive it until November, 1819, when he was called upon to join a garrison battallion. Thinking, however, that he could earn his livelihood at weaving, and having then a wife and family, he neglected the call and was struck off the list. At that period the price of weaving was 11½*d.* a yard, but it was now reduced to 4½*d.*, and he was unable to obtain a livelihood, and he therefore wished to obtain a renewal of his pension. His colleague and himself had applied to the War Office on behalf of the petitioner, and were referred to the Commissioners of Chelsea Hospital, who, it seemed, had some rule laid down that prevented them doing anything in the matter. He had, therefore, been obliged to come to that House, praying for a restitution of the pension of this wounded soldier. The House might, he thought, interfere with great propriety, when it took such pains to see justice done to pensioned officers, with whose cases that of Rothwell might, in his opinion, be advantageously compared.

Lord *John Russell* felt it necessary to say a few words with respect to these two petitions. As to the first of them, having pledged himself to inquire into the circumstances connected with it, he begged to say, that he had made inquiries at the Horse Guards, the result of which was sufficient to satisfy him that the petitioner had no ground for the allegations contained in his petition. The petition had been first sent to the hon. member for Middlesex, who sent it to Sir John Hobhouse, and so satisfied was the hon. member for Middlesex, from the representation of the then Secretary at War, that the petitioner was totally unworthy of the consideration of the House, that he refused to present his petition. The statement of the petitioner, that he had received 300 lashes for not having wrapped up his ammunition in proper paper was untrue, he had been punished for repeated instances of gross insubordination, and for refusing to obey the orders of his superior officer. For threatening with a razor to take away the life of a superior officer, he was sentenced to be transported, but that sentence being found informal, he was released. He had been guilty of other acts of gross insubordination: and, in short, was a man of such a character, that it was difficult to get him to perform the duties of a soldier. He was sure, that under these circumstances the House would consider that the case of the petitioner did not call for the slightest indulgence. With regard to the other petition, the one from the pensioner of Chelsea Hospital, the question with regard to him had been brought forward at the Board at which he presided. As the hon. member for Oldham had stated, the pensioners were liable to be called on duty in garrison battalions, and to be struck off the pension list if they did not appear and could not make out a good case, either of not having been apprized of the call, or having been prevented from attending to the call by some lawful and insurmountable impediment. This was no more than a proper and necessary regulation, particularly when the House remembered that this pension-list at one time cost the country 1,500,000*l.* per annum, and now amounted to 1,200,000*l.* The man in question had neglected to attend a call to join a garrison battalion because he was engaged in a more profitable employment, and as there were no grounds for his being restored to his pension, the Board had very properly refused the prayer of his petition. The hon. member for Oldham had insinuated that such would not have been the fate of an officer; but he would inform that hon. Member that the proceeding in the case of an officer would be precisely the same. If an officer refused or neglected to join any regiment to which he was appointed, he would be immediately liable to forfeit his half pay. In the past year a case in point had occurred, not in the army, but in the navy, where the principle was the same. That was the case of Captain Sartorius, who, having been ordered home to join a ship, neglected or refused to do so, and had been struck off the list in consequence. Unless the superior Boards had a power of this description over officers and soldiers there would be no means of commanding their services even in case of foreign invasion. The statement he made would he hoped satisfy the House that in neither case did there exist any reasons for interfering.

Mr. *Cobbett* reminded the House that he had not said anything as to the deserts of the first petitioner; he had spoken only first, of the severity of the punishment; and next, of the case, supposing the allegations in the petition to be true. But, after all, he only asked for a copy of the proceedings of the Court-martial. Was that unreasonable? No. And he should certainly move for them. As to the other petitioner, the noble Lord had directed the attention of the House from nine-pence a-day to the enormous amount of 1,200,000*l.* That was not the thing. Then the noble Lord had said, if an officer were called upon to serve, and refused, he would certainly lose his pension. Oh! was that so? This was a more difficult matter than the noble Lord supposed. What! would they call upon parsons who had sold their half-pay, would they call these Gentlemen to come out of their churches and pulpits to defend the country?—that would be curious indeed. When he had got a certain return he had moved for, and which had been promised, he would show what was the amount which these parsons had received in their capacity of half-pay officers, though not liable to be called out upon duty.

Mr. *Robert Grant* said, that with reference to the first petition, he should feel it his duty to oppose the motion for granting copies of the proceedings of the Court-martial. He would maintain that a strong *prima facie* case ought to be made out before the House exercised so extraordinary a power; but the present case, so far from being *prima facie* a case of strength, was full of the most gross mis-statements, and the House could not degrade itself more than to exercise its powers without an adequate ground. He could state upon his own responsibility that the petition was full of the grossest misstatements. The first statement related to a Court-martial which was held at Gibraltar in March 1832. The man was then tried, not for being without his proper cartridge paper, but for his outrageous behaviour, and he had only to regret that he could not justify the language which the officer had used on that occasion. The sentence had been mitigated on the ground that some provocation had been given to the man. The next was the regimental Court-martial, at which the man had flourished a razor at the officer, and had declared that he would have his life, or the officer should take his. The sentence which ordered him to be transported was deemed illegal or doubtful, and as it was deemed right that the man should have the benefit of any doubt in the case, he received a pardon. More flagrant violations of discipline than this man committed could not be conceived, and he appealed to the House whether this was a case proper to be brought under its consideration. Major Butler had no power to give the man a copy of the proceedings of the Court-martial; and he very properly sent to the general officer, the Commander-in-chief of the district, to know what he ought to do. The general sent to the Judge-Advocate to learn what was the law on the case, and the final result was a determination on the part of General Bouverie to give the man every indulgence that could be granted to him. The man had enlisted in 1824, he had served only eight years, out of which he had been a deserter during two, and he had been tried six times by Courts-martial. Under these circumstances he trusted that the House would not think of interfering.

OATHS OF CATHOLIC MEMBERS.] On the question that the Speaker do leave the Chair to go into a Committee on the Church Temporalities (Ireland) Bill.

Mr. *Andrew Johnstone* would move, before the Speaker left the Chair, that the oath contained in the Catholic Relief Bill to be taken by Catholics taking their seats in that House, be read. The present was, he thought, the fittest opportunity for calling the attention of the House to that subject. In doing so he hoped he should get credit for not being actuated by any improper feeling, for he was only taking that course which his duty pointed out to him. The oath to which he referred was enacted and made part of the Bill for the relief of Roman Catholics in order to prevent Roman Catholic Members from interfering in any way in that House so as to injure or weaken the Church Establishment of England or Ireland. That such oath was understood to be intended to prevent Catholic Members from taking any part in matters relating to the Church Establishment was the opinion of many hon. Members of that House. He recollected that in the last Parliament the late right hon. Secretary for Ireland had called the attention of the hon. member for Tipperary to the subject, in the same feeling as to the meaning of that oath; and he also remembered that in the last Parliament Lord Killeen and the member for York both declared that they considered themselves bound by their oaths, as Catholic Members of that House to abstain from any discussion on such subjects. In the present Parliament, when an hon. member (Mr .O'Dwyer), whom he did not see then in his place, had spoken of destroying the Irish Church, he was immediately reminded by an hon. and learned civilian (Dr. Lushington), that by the hon. Member's (Mr. O'Dwyer's) oath, as a Catholic Member, he was precluded from doing anything which would tend to injure or weaken the Protestant Church Establishment in England or Ireland, Notwithstanding these opinions, he found it was still the intention of some hon. Members, who were Roman Catholics to take a part in matters with which, as it appeared to him, the oaths they had taken at that Table forbad them to meddle. For example the hon. and learned member for Tipperary had given a notice that he would move that any surplus fund which might arise out of the measure of reform in the Irish Church, should be at the disposal of the House to purposes of State. Under these circumstances, he felt it his painful duty to take the course he was now pursuing. In the oath to which he referred, the Catholic Member swore, amongst other things, "And I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm." He would not rest on the terms he had read, but in the next passage of the oath were these words, "and I do solemnly declare, that I will never exercise any privilege to which I am or may become entitled, to disturb or weaken the Protestant religion or Protestant Government in the United Kingdom. And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever—So help me God." He would not say in what way a man could conscientiously take such an oath, and afterwards feel himself at liberty to interfere or take an active part in matters which tended to injure or weaken the Protestant religion or Government. The oath he had mentioned was very strong, but if he were to go to some of the decrees of Catholic councils he should find that faith was not to be kept with heretics. ["*No, no*" from Mr. O'Connell.] The hon. and learned Member denied this; he would refer him to the decrees of the council of Constance, and also to the third council of Lateran, in which it was promulgated that any oath taken against the interest of the Catholic church was to be considered as not binding and as no oath ["*No, no,*" from Mr. O'Connell]; and Catholic writers asserted that they could obtain dispensations for such oaths [*No, no*]. Looking at the question in the light of a civil compact, he would say, that the Protestants had performed their part of it in admitting the Catholics to an equality of civil privileges, and it was now the duty of the Catholics to perform their part of it by observing the conditions on which that equality was given. He was sorry that it should fall to his lot to move this, but he would withdraw his Motion if the House should be of opinion that a more proper time would occur hereafter for its introduction; but it appeared to him that the present was the proper one for bringing this question before the House. He had brought it forward without consulting any hon. Member, and would now leave it to the House. He would move in conclusion that the oath administered to Roman Catholic Members of that House be read.

The Clerk read the oath as follows:—

"I, A. B. do sincerely promise and swear that I will be faithful and bear true allegiance to his Majesty King George the Fourth, and will defend him to the utmost of my power against all conspiracies and attempts whatever which shall be made against his person, crown, or dignity; and I will do my utmost endeavour to disclose and make known to his Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them: and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the Crown, which succession, by an Act intituled 'An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,' is and stands limited to the Princess Sophia, Electress of Hanover, and the heirs of her body, being Protestants; hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the Crown of this realm, and I do further declare that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated or deprived by the Pope or any other authority of the See of Rome may be deposed or murdered by their subjects or by any person whatsoever: and I do declare that I do not believe that the Pope of Rome or any other foreign Prince, Prelate, Person, State, or Potentate, hath or ought to have any temporal or civil jurisdiction, power superiority or pre-eminence directly or indirectly, within this realm. I do swear that I will defend to the utmost of my power the settlement of property within this realm, as established by the laws, and I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment, as settled by law within this realm: and I do solemnly swear that I never will exercise any privilege to which I am or may become entitled, to disturb or weaken the Protestant religion or Protestant Government in the United Kingdom; and I do solemnly, in the presence of God profess, testify, and declare, that I do make this declaration and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation or mental reservation whatsoever So help me God."

Mr. *O'Connell* said, he would not detain the House by giving any detailed answer to the ludicrous calumnies which the hon. Member had raked up, for all those calumnies had been already scouted with ridicule by all who had liberal or Christian feelings. The hon. Member talked of the compact with the Catholics. There had been none but that of the treaty of Limerick, which had been shamefully violated to their injury by the Protestants. The Catholics had come to that House to demand their rights, to be placed on terms of civil equality with their Protestant fellow-subjects. They had asked for that only, and would not have accepted anything beyond that, even if it had been offered. The statement of the hon. Member was only fitted for the days of John Knox, and probably in his days it would have been followed by the shedding of blood. As to the assertion of the council of Constance or Lateran having declared that no faith was to be kept with heretics, he would as confidently assert that it was not the fact. The assertion was an historical blunder. But if any Catholic council had declared any such opinion, every conscientious Catholic would be bound to reject it; for no council or other body of men had a right to command that which was in itself morally wrong. As to the dispensing with an oath, a Catholic believed that no person or persons had any such power, in any case of an oath between man and man. There were, indeed, certain oaths which might be dispensed with and absolved from. For instance, if the hon. Member took an oath to pay him (Mr. O'Connell) a sum of 50*l.*, he could absolve him from the oath by remitting him the money; or oaths of celibacy made by the Catholic clergy might be dispensed with by the authority which made them; but all other oaths were binding on Catholics in the sense in which they were administered, no matter to whom they were given, and no power on earth had a right to absolve from them, and no Catholic believed that any such power existed. Not to go into any detail on this question, he would merely ask, what had kept Catholics so long out of power but their regard for the validity of oaths. If they believed that they could be absolved from such oaths, was it not likely they would have taken more oaths which gave them political power; but they had remained deprived of such power for a century and a half, rather than take oaths against their consciences. That was not the place for polemical discussion, or, if it were, he might show the hon. Gentleman some instances in which members of his own communion held the sentiments which he now wilfully attributed to the Catholics. If the hon. Member would have the goodness to favour him with his address, he would send him that passage in John Knox's writings, in which he held that faith was not to be kept with Papists; but he attributed no such opinion to the hon. Member, and he hoped the Catholics would get credit for the same feelings as other Christians on this subject—seeing that every act of theirs was a disclaimer of the odious doctrine so unjustly and illiberally imputed to them.

Mr. *Cutlar Fergusson* begged to disclaim any concurrence in the opinions of the hon. member for Cupar (Mr. A. Johnstone). The charge of not keeping faith with persons from whom they differed in religion was most unfounded, and had been disclaimed by all Catholics, and strongly condemned by the whole of the Roman Catholic Archbishops and Bishops of Ireland. The Catholics were not bound by their oaths in that House to do any thing more or less than Protestants with respect to the Established Church.

Mr. *Shaw* would not offer any opinion on the subject until he saw the course taken by Catholic Members, on matters which should come before them. As to what had been said by the hon. and learned member for Kirkcudbright (Mr. Fergusson), that the oath was to have the same effect on Protestants as on Catholics, he would only say, that if that were the meaning of the oath, he did not see why it was imposed at all, or why it should not be taken by both.

Mr. *Cutlar Fergusson* said, all it had in view was, that the Catholics should give the same security to the Established Church by their oaths, as the Protestants were supposed to give by their duty as Protestants.

Lord *Althorp* reminded the House, that in the progress of the Catholic Relief Bill, a clause had been proposed to prevent the interference of Catholic Members in any matters relating purely to the Church, and the House had rejected it; and, as that was the case, he thought that Catholic Members had as much right as Protestants to take part in the discussion of any matter that came before the House as Protestants.

Dr. *Lushington*, as his name had been alluded to by the hon. member for Cupar, wished to say a word in explanation, and to correct a mistake respecting what had fallen from him on the occasion alluded to. When an hon. Member, a Catholic, had talked of destroying the Church, he did, in the warmth of the moment, read to him the oath taken by Catholic Members of that House—not, however, with the view to contend that Catholic Members, or any other Members not belonging to the Established Church, had no right to interfere or take part in any question, no matter what, which might come before the House—but to show that hon. Member that a sense of duty and of his obligation on oath, ought not to permit him to talk of destroying an establishment which, as a Member of Parliament, he had sworn not to injure or weaken. He would have explained his meaning on that evening, but an interlude of a speech of two hours by the hon. and learned member for Dublin, having intervened, he was unwilling to bring the attention of the House back to another subject.

Church Reform (Ireland).] The House went into Committee on the plan for regulating the temporalities of the Church of Ireland.

Lord *Althorp* said, that the subject to which the Resolutions referred, which he was about to move having been opened to the House on a former evening, it would be then unnecessary for him to take up its time by going over the same ground. No doubt many hon. Members were prepared to discuss the principle of the measure in the Committee, to which, of course, he could not object; but on his own part it would be only trespassing on the time of the House to re-open what he had stated on a former night. He would make only one remark. A part of the proposed plan, as the House was aware, was the abolition of the Church cess; but if the Bill which had been brought in had been carried through, there would not have been time enough to effect the abolition of the Church cess this year; but as it would be desirable that such cess should no longer be collected in Ireland, he thought it right to say, that Government would provide for that abolition this year by other means. The noble Lord moved the following Resolutions:—

1. That it is the opinion of this Committee that it is expedient that the Lord-lieutenant of Ireland should be authorized to appoint Ecclesiastical Commissioners for the purpose of carrying into effect any Act that may be passed in the present Session of Parliament to alter and amend the laws relating to the temporalities of the Church in Ireland; and that the said Lord-lieutenant be empowered to order and appoint such salary or other emoluments as he shall deem fit to be paid to such Commissioners, not being Bishops.

2. That it is the opinion of this Committee that it is expedient to make provision for the abolition of the first-fruits in Ireland, and in lieu thereof, to levy an annual assessment upon all bishoprics and archbishoprics, and upon all benefices, dignitaries, and other spiritual promotions above the yearly value of 200*l.*, to be applied to the building, rebuilding, and repairing of churches, and other such like ecclesiastical purposes, and to the augmentation of small livings, and to such other purposes as may conduce to the advancement of religion, and the efficiency, permanency, and stability of the united Church of England and Ireland,

3. That it is the opinion of this Committee that vestry assessments for any of the purposes to defray which the annual assessment mentioned in the preceding resolution may be applicable should be abolished; and that any law, statute, or usage, authorizing such assessment, should be repealed."

On the question being put on the first Resolution,

Mr. *Lefroy* said, that the order in which the Resolutions were brought forward was calculated to create some embarrassment. The first he looked upon as merely ancillary, creating in fact, the machinery by which the system proposed to be introduced by those that followed was to be worked. It was impossible, however, to discuss the first Resolution without feeling himself called upon to enter with some minuteness into the merits of the plan which was involved in the whole series. It was, therefore, that he rose to call the attention of the House to a subject which was unquestionably of great importance; and though, from the situation he filled as one of the Representatives in that House on whom the care of the interests of the Church of Ireland more immediately devolved, he yet did not mean to discuss the subject as one affecting the established Church in Ireland alone, but as one in which the interests of the Established Church in England were equally involved. It was not his intention to protract the measure by needless debate; but he hoped that a question of so much importance would receive a full and ample discussion, and that hon. Members would feel it their duty, before they came to a decision, to enter into an examination of the whole subject. He did not mean to trespass on the House at any extraordinary length, but he must claim the attention of hon. Members for a reasonable time, while he endeavoured to show that the Resolutions were unjust in principle, and were not entitled to support even on the ground of expediency. Before he proceeded to discuss the Resolutions, he begged to state that he had received a number of petitions on the subject of the Bill which had recently been withdrawn, but the leading principles of which were adopted in the Resolutions then under consideration. One of those petitions was from the great body of the Irish Prelates—others from large bodies of the clergy, and several of them were also from the laity. All the petitions expressed the greatest apprehension with respect to the measures proposed by his Majesty's Government—not, indeed, as to any new arrangement with respect to Church property within the Church, so far as might be deemed conducive to the interests of religion, but the petitioners expressed the greatest reluctance that the property of the church should be interfered with, in the way proposed to the prejudice of existing interests; and they deprecated in the strongest manner the alienation of the least portion of that property to any other than ecclesiastical purposes. He did not stand there to oppose any Reform with respect to sinecures and pluralities in the Church; but he should object, first, to the application of Church property to any other than Church purposes; and secondly, he should endeavour to prevent any infringement of the rights and interests of the present possessors. The first Resolution of the noble Lord was purely ancillary to carrying into effect the second and third; and, therefore, it was not necessary to make any observation upon it. The second and third Resolutions embraced three distinct points, namely—first, the abolition of the First Fruits; secondly, the abolition of the parish cess; and thirdly, the substituting in place of the First Fruits and the parish cess a tax upon all benefices above the yearly value of 200*l.*, the produce of which was to be applied to the purposes for which the First Fruit Fund and parish cess were now appropriated. With respect to the First Fruits, if the question were merely as to the abolishing the board of First Fruits and substituting an annual tax in lieu of the First Fruits, he would not object to it; but the project before the House went greatly beyond that. When the House was put in possession of the amount of the First Fruits, and of the tax which was proposed to be substituted for that impost, they would find, that under the colour of a commutation, the noble Lord was about to impose a tax much greater than that which was at present paid. That was not all; individuals would be called on to pay who ought to be altogether exempt from such charge, because they had already contributed to the First Fruits Fund. The House could not legislate on this subject unless the facts were fully before it, and these facts he would immediately detail. He had procured authentic documents connected with this question; documents could not err; and if any hon. Member in the detail upon which he (Mr. Lefroy) was about to enter could detect him in a mistake, then let everything he said go for nothing. By the accounts relative to the amount of First Fruits, produced in 1827 and 1828, it would appear that the sum total derived from First Fruits for thirty-one years was 9,947*l.* 11*s.* 2*d.* That was the sum paid, including benefices of every sort which were liable to the charges. Those were exempt which were rated in the King's books as under a certain annual value. Of that amount the sum of 3,177*l.* 1*s.* 4*d.* was paid by Bishops; so that, taking the sum-total for thirty-one years, the average did not exceed the annual sum of 321*l.* of which 218*l.* was paid by the working clergy of Ireland on account of First Fruits. But what did the noble Lord propose? Why, that a charge of 42,000*l.* should be annually levied on the whole Church of Ireland. This, together with the tax on Bishops, would, in fact, amount to an annual sum of 65,000*l.*, instead of 321*l.*, which was paid at present on account of First Fruits. This sort of commutation was very like asking a man for change of a shilling, and taking from him a 10*l.* note in lieu of it. With what justice could this be viewed as a commutation in lieu of the First Fruits? Could it be considered otherwise than as plundering the Church? If such a transaction took place between man and man on the highway, it would be deemed a highway robbery; but because it was brought forward by a Chancellor of the Exchequer, in a Reformed Parliament, he supposed it must be considered just and equitable. But the injustice did not rest here. The First Fruits fell only on a portion of the clergy, but this tax would be levied on all. Those who were not now liable to the payment of First Fruits would be exposed to the operation of this tax. All the clergy who were in possession of benefices paid the First Fruits, either on taking the preferment or immediately afterwards; but those who had already paid their First Fruits would now be amenable to the new impost. Was that just? The First Fruits were not one farthing in the pound, while this tax would be from five to fifteen per cent, and even on the noble Lord's own showing would amount on the average to seven per cent. He trusted, therefore, that if any sense of justice remained, the House would not sanction the substitution of such a monstrous imposition upon a body of men who were already suffering the greatest privations. In the next place, provision was to be made for the Vestry-cess. That, at present, amounted to about 60,000*l.* a-year, and was levied on 12,000,000 acres of cultivated land, being not quite one penny an acre, on all the cultivated land in Ireland. The whole of that cess, let it be observed, was not appropriated alone to the purposes of the Church; provision for the poor, coffins, foundlings, &c., the collection of the cess, the expense of the grave-yard—these were all included in its expenditure, and it certainly was not fit that the Church, as was now proposed, should make up that tax. At present the sum levied for ecclesiastical purposes connected with that cess was 17,717*l.* 16*s.* a-year, which was not one quarter of the tax that would be laid on by the new system. At present no part of the Vestry-cess was laid on the clergy; and he should be glad to know why that burthen, which was now placed on the land, should be transferred to the Church, and wrung from the pockets of the working clergy? It was said, that the revenues of the Irish Church were enormous; but he would lay before the House the exact state of the property of the Irish Church, and it would then be seen that the fact was not so. The noble Lord had himself admitted, on a former occasion, that there was no subject on which so much misrepresentation had taken place as on this, and that greater exaggeration existed with respect to the amount of Church property than on any other subject. The noble Lord in introducing the measure to the House, said—that even he, himself, had been led into most exaggerated views of the subject. It appeared from the reports of the Committees of Lords and Commons on the tithe question, according to the evidence of Mr. Griffith, that the whole amount of tithes in Ireland did not exceed 1*s.* 3*d.* on the Irish acre, and Mr. Delacour stated, that if lands tithe-free were excluded, the whole would not exceed, on a fair computation, 1*s.* per Irish acre. Mr. Erk, who was examined before a Committee of the House of Lords, produced a table with respect to the charge for tithes. In the province of Leinster it was 1*s.* 7½*d.*, or 1*s.* the English acre. Tables were subsequently made out, by direction of the Lords' Committee, with respect to the other provinces; and it appeared that the charge of tithe in Munster was 1*s.* 2¼*d.* the Irish, or 9*d.* the English acre; in Connaught. 10¼*d.* the Irish, or 6½*d.* the English acre; and in Ulster, where the two species of measurement were intermixed, the rate was 11½*d.* per acre. The average of tithes did not exceed the sum of 1*s.* 1½*d.* the Irish, or 9½*d.* the English acre for the whole of Ireland. Now, so far as that went, he would ask was that an enormous amount to be vested in the Church? The income of the Bishops did not exceed 130,000*l.* a-year — the sum stated by the noble Lord; all above that went to the Bishops' tenants. It appeared from the statement of the noble Lord, that the income of the beneficed or working clergy was 580,000*l.* or 60,000*l.* a-year. There were, it was said, 1,401 beneficed clergymen; he believed there were 1,424—but he would take the smaller number, and then it would appear that their annual average income was 428*l.*, excluding curates. Then, by the Bill which was passed last Session on the subject of tithes, there was a deduction from the clergyman's income of fifteen per cent, which the landlord now received: this, on an income of 428*l.*, amounted to 63*l.* which thus reduced the salary to 365*l.* a-year. There were no fewer than 662 curates, who were paid by those 1,401 incumbents on an average of 30*l.* a-year to each—so that the income in reality only averaged 335*l.* a-year. That was not, of course, the proportion in which Church income was divided in Ireland. That was a matter of regulation; but what he had said was sufficient to show that the Church of Ireland was not extravagantly endowed. No man could assert that that Church was extravagantly endowed, in which the average income of the incumbents could not exceed 335*l.* If any of the livings should be found to be too largely endowed, let them be reduced. Be it so; but that could not detract from the weight of the observations which he had just made. He did not stand there to defend abuses. If sinecures in the Church were mischievous, although his Majesty's Government clung to them in the State, let them be abolished. If pluralities in the Church were injurious, although there were some enormous pluralists in the State unobjected to, let them be done away with, but their existence did not in the least impugn the truth of his argument—namely, that the endowments of the Irish Church were not too great. But the House had been led into one great error, with respect to pluralities in the Church, from which he begged to disabuse hon. Members. With respect to the union of parishes, that was frequently rendered necessary by the vast number of lay impropriators. He knew of one union of seventeen parishes, which produced only 250*l.* a-year. Those unions added greatly to the duties of the clergyman, but very little to his emolument. It was found necessary, in order to procure a decent maintenance for the incumbent, to unite a number of these parishes: they were enormous in the extent of duties to be performed—enormous as to the extent of country over which they were spread—but far from enormous as to the amount of revenue derived from them. Another error into which the House had been led was with respect to the parishes in which it was alleged not a single Protestant was to be found. It was not that there were benefices in Ireland in which no Protestants resided—but that in some of the parishes constituting those unions few Protestants were to be found; but in the parishes which constituted the rest of the union Protestants were numerous. He wished that the whole matter might be inquired into by a Committee of the House, or by Commissioners appointed for the purpose, in order that the House might ascertain for itself the true state of the Church in Ireland. Before they proceeded to legislate on the Church of Ireland in the way which was now proposed, the House should inform itself better on the subject than could be done by any casual debate. If there were anything enormous or extravagant connected with the Church of Ireland, let it be removed; but it was not consistent with justice to trench on the property of a Church which was so moderately endowed as he had proved the Protestant Church of Ireland to be. Let the House consider how Church property would be affected under this new system. In the first place, the landlord, by the act of last Session, was entitled to fifteen per cent on the tithes; then there was a charge of twenty per cent, for turning the tithe into land; and, lastly seven per cent, which the noble Lord now proposed to levy on Church property — making altogether an impost of forty-two per cent, upon all Irish Church property. He would ask on what principle it was, that the present incumbents were to be subjected to such a tax? Why were men who had embraced this profession — who had entered into certain relations of life, on the supposition that they would continue to receive a given income—who had, perhaps, quitted some other profession to adopt this—why were they now to be subjected to this visitation? Why should these men be dealt with in a manner contrary to that which had ever before been acted upon with respect to vested rights? Was it because the clergy did not sit in that House? He trusted the justice of the House would revolt from so unfair a proposition as that contained in the resolutions; and that they would not lend themselves to heaping additional hardships upon those who had already endured so much. If the noble Lord removed the Vestry-cess on account of its being offensive to the Roman Catholics of Ireland, how could he keep it up amongst the Dissenters of England, to whom the cess collected here was equally offensive. The House, in dealing with those Resolutions, must decide whether Church property was to be exclusively devoted to Church purposes; or they must come to this question —whether they were or were not to preserve a Church Establishment? Why was this Vestry-cess, he would ask, to be taken from the Protestant clergy of Ireland, and remitted with reference to the land? Why should the tax be taken off the lay proprietor, and placed on the working clergy? He was willing, if necessary, to relieve the Roman Catholic occupant; but he would not do so at the expense of the Protestant clergyman, which would only enable the Protestant landlord to get better rents for his ground. However reluctant Ministers might be to come to a decision upon the subject—however reluctant they might be in the Cabinet to look one another in the face on this question—they must come to the decision as to whether there should be a Church Establishment or not. That was a Reformed Parliament, and the question ought to be boldly stated. He could understand hon. Members supporting the Resolutions who considered no Church Establishment to be necessary. He could account for the support of such men as those who considered that, as had been said, a person ought to supply himself with a clergyman as he would with a physician or a lawyer; but he was unable to account for the conduct of men, who, under the pretence of maintaining an establishment, voted for measures which were calculated bit-by-bit to spoliate the property of the Church. If the House had made up its mind to abolish cess, because it was hurtful to the feelings of the Roman Catholics, why, he would ask, was the burthen to be transferred to the clergy? Why was it to be taken off the lay proprietors, on whose land it was a charge, and laid upon the working clergy? The working clergy gave a consideration in return for their incomes. Why was the clergyman out of his income to pay for the repairs of a church which was built and maintained for the accommodation of the Protestant landlord, and which was resorted to by his family? Why, he would repeat, was the clergyman to be taxed, while the land of the Protestant proprietor was to be free from the burthen? But if this burthen was to be borne by ecclesiastical property, why were lay impropriators to be exempt? In what proportion did the House think the lay impropriators of Ireland contributed to the discharge of the spiritual duties of their respective impropriations? He had formed a list of lay impropriators, and opposite to their names he had placed the sums which they contributed to the spiritual duties. Here was one of them, the lay impropriator of twenty-eight parishes, containing 10,481 acres, and what did he pay to the support of a minister? Not a single farthing. He alluded to the Marquess of Drogheda. On the contrary, the spiritual duties of that lay impropriation were performed by the clergyman of the adjoining parish, upon whom that additional burthen was laid without any remuneration for it. Was, he would ask, an additional tax to be laid upon the clergy of Ireland, in order to put money into the pockets of such lay impropriators as the Marquess of Drogheda, who did not contribute a single sixpence towards the performance of the spiritual duties in those parishes from which they derived their money? It was, he would fearlessly say, contrary to law to exonerate the Marquess of Drogheda and other lay impropriators from this burthen—it was directly contrary to the letter of an old Act of Parliament which still existed upon the Statute-book. If they were to have

Reform let them go back to first principles, and not permit duties which the law imposed upon lay impropriators, to be shifted to the clergy. He would only call upon the House to act up to the spirit of that act, which enacted that lay impropriators should provide sufficient funds for the performance of spiritual duties in the parishes which they possessed. The next impropriator in the list to which he had already referred was a Mr. Stepney, who held 6,868 acres of pasture and arable land. There was another lay impropriator who possessed 9,670 acres, and he contributed nothing. The next on the list held 15,000 acres, and he contributed but 31*l.* 4*s.* 3*d.* a-year for the spiritual duties those parishes in which his property was situate. There was another who possessed a whole tract of country in seven parishes, he meant Lord Shannon, and the amount of his contribution towards the maintenance of spiritual duties in those parishes was 35*l.* There was another, a Mr. Copley, who, in ten parishes, held 10,000 acres, and his contributions amounted to 25*l.* a-year. Were those individuals to be relieved from a burthen which in justice they should bear, and was it to be thrown on the working clergy? He had taken those statements as to lay impropriation from the public parliamentary documents, and therefore they must be deemed to be correct. Why, he would ask, should the great London companies, who derived vast incomes from their properties in Ireland, be exonerated from this vestry cess? These companies held large estates in Ireland. They derived vast incomes from those properties, which no doubt were expended very joyously in London, and he was ready to admit, that they were good landlords, so far as absentees could be so; but why in the name of justice and common sense, were they to be exonerated from vestry cess at the expense of the clergy? Why, in short, was this tax to fall alone upon the clergy, and why were the lay proprietors of all sorts to be exempted from it? It had been said in justification of the conduct of Parliament interfering with the Church property in Ireland, that the Church derived its property from the authority of Parliament. Now, though that assertion had been very generally made, he would say that there was no proposition more unfounded in point of fact, of history, and of parliamentary law. The Church of England and Ireland derived its property originally from private grants, or from grants of the Crown. It was true that at the time of the Reformation that property passed from one church to another, but it did not pass by the authority of an Act of Parliament. The national creed was changed—the consequence of which was, that old existing abuses were removed. He had used the word "changed" in order not to give offence, but the cheer he had heard called upon him to speak with more accuracy—it was not a change of the national faith in the proper sense of the word, it was a recurrence to first principles, such as they were told had been the case in the instance of the Reform Bill in modern days. There were not above 200 of the clergy at that time who did not become assenting parties to the reformed faith. The Church property therefore was not taken from one set of men to be given to another. Those who held that property, with the exception of 200, altered their views as to religion, accepted the reformed creed, and transmitted that property to their successors, who did not hold it under the authority of an Act of Parliament. The only property that was so transferred was the property of the monasteries. That property had been forfeited to the Crown, and the Crown made disposition of it afterwards — but even that property had been alienated from the Church, and on the suppression of the monasteries, the monastic property became vested in the Crown. The great body of the Church property the Church held still under the original endowments, and not by Act of Parliament; and what they take under grants from the Crown they take no more under Act of Parliament than any private grant of the Crown. The same thing that took place in England at the Reformation also took place in Ireland. The reformed faith was proposed to the clergy of the Church of Ireland, and they accepted it in a convention of the clergy. The property there did not change hands. The Protestant clergy of Ireland held their titles, their property, upon the same tenure, and no other, that ~~private~~ individuals held their property, and he would ask, whether it was a principle of constitutional legislation to interfere with, in the manner proposed, and to take away, the property of the Church, any more than it was a principle of legislation to take away their property from private individuals? If such a principle as that were once to be acted upon, might not the private property of individuals be the next object aimed at? Might it not be said that there were a great many Lords in England who possessed in their hands much too large estates, and that such a state of things required reformation? It might, with as much reason and justice, be contended that such property could be interfered with by Parliament, as that the Legislature could interfere with the property of the Church. But it was said, that the Legislature had interfered with the Church property in the instances of the restraining and enabling statutes. But let it be recollected that the restraining statutes were enacted for the purpose of preventing Churchmen from alienating their property to the prejudice of their successors. But in order that the present possessor might have a fair enjoyment of the property, he was enabled to a certain extent to make a lease binding on his successor. But surely there was nothing in these acts to warrant the principle now contended for. They were made for the preservation of Church property, for the successor, and the beneficial enjoyment of it by the person in possession. The present measure went to take away a proportion of the property from both. There was nothing to be found in the annals of legislation to warrant, much less to justify, such an interference with property. It was quite a mockery in the noble Lord to say, that he substituted one tax in lieu of another, when that which had heretofore been paid by the clergy under the name of first fruits was not one-thousandth part of the tax about to be imposed, and it was under the colour of such a mockery as that—that the House was called upon to plunder the Church. He had hitherto considered the case as one to be regulated by precedent, he would now with the permission of the House consider it on the ground of expediency. Upon the mere ground of expediency he would deny that such a measure was called for, or could be justified. The first result of the imposition of this tax upon the clergy of Ireland would be, that it would lead to the dismissal of a large number of the curates. This must follow because it would be utterly impracticable for the rectors, should the Bill pass, to pay them. This he was enabled to state, not merely on his own view of the subject, but from extensive information derived from his communications with the clergy. The next consequence would be disabling the clergy from performing those offices of humanity and charity to which their duty not more than their inclination prompted them. The clergyman was often, if not the only resident gentleman in the parish, the only one to whom the poor felt they had a right to look up to for relief and assistance, and he would venture to say, there never was a body of men that had more generosity, or had more faithfully discharged their duties, than the established clergy in Ireland. Any hon. Member who had resided in that country was competent to bear testimony to the character of the clergy which he had then given. The next results of the measure would be reducing the clergyman from that station in society which in a country circumstanced as Ireland was, it was most necessary he should occupy. There were two other results to which he felt it necessary to allude. It was with reluctance he touched upon them, but he did so merely to show that they had not escaped his attention, while at the same time he wished to press them upon the notice of the Government and the House, as matters well worthy of their most serious consideration. One of the most disastrous results to be expected from the passing of this measure would be the exciting of universal dissatisfaction among the Protestants of Ireland. If dissatisfaction and disgust should be excited among them at the passing of this measure—and such a result was sure to follow its enactment—was it not to be apprehended that the Protestants of Ireland would begin to doubt as to the utility of the legislative Union? To those apprehensions it should be added, that this measure not only violated the coronation oath, but also directly violated that act of the Legislature under which the union of the two countries under the Crown was established. Was it too much to suppose that the Protestants of Ireland, hitherto the firmest supporters of that Union, should join with those who called for its repeal? He did not like to dwell upon the subject, or suggest what his fears led him to anticipate, but when the petitions with which he had been intrusted should be laid before the House, hon. Members might judge for themselves what grounds he had for entertaining such apprehensions. If the Protestants of Ireland should find their sovereign violate his coronation oath and those principles which had established his family upon the Throne, where they had been maintained by those very Protestants, might they not consider themselves freed from the reciprocal obligations which had been imposed upon them? These were times of liberal opinions. He did not teach such doctrines, but others might be found who would call upon the Protestants of Ireland to act upon them. If this measure should lead to a separation of the two Legislatures, without a separation of the Crown, what then would become of the absentee property? It had been already stated in Ireland, on authority of great weight, which even the noble Lord would not question, that no man should hold property in the two countries —that, in point of fact, he must be put to his election. One of the first results, therefore, of a Repeal of the Union must be, that the absentee landholder must give up his land, or if not it would be taken from him. He threw out these observations for the consideration of the House and the Government. Let the House not shut its eyes to the fact, that these were critical times, and with regard to Ireland particularly so. If the Protestants of Ireland should be disgusted with the legislative enactments of that House, there was an end at once of the Union. He felt that the present measure was the commencement of a system that must lead to the overthrow of the Established Church in Ireland—it was the commencement of a bit by bit system of spoliation—and he would implore the House, therefore, before it put its hand to such a work, to reflect upon what the prosperity of this country hitherto had been with a national religion; to consider that this country had been made by Providence the first amongst the nations while it possessed an established religion and a National Church. Let them try what experiments they pleased in politics—but let them not try the awful experiment how far a nation could prosper without a religion. The hon. and learned Gentleman concluded by saying he should not move his Amendment upon the first Resolution, but should reserve it for the second, which involved the principle of the measure.

Mr. *Pryme* expressed his surprise at the arguments which had just been addressed to the House. In his opinion, the Legislature had a perfect right to deal with Church property, if they did so for the public benefit. The hon. and learned Gentleman had compared the imposition of a tax upon the clergy as equivalent to taking away the estates of an individual. There was, however, no similarity between the two cases. The estates of private individuals were gained, either by the industry of the present possessors, or by the industry and services of their ancestors; whilst the income of the clergy was a stipend paid for public services. They were public functionaries as much as the Judge or the Minister of State, and as such were under the control and superintendence of the Legislature. The hon. Member was mistaken in the history which he had given of the First-Fruits. The fact was, they were taken by the Legislature from the Pope, and converted to the use of the clergy themselves. That was what he supposed the hon. and learned Member would call an act of spoliation. The hon. and learned Member had said much as to the value of livings in Ireland being exaggerated. That, however, if correct, had little to do with the question. If the income of the clergy were less than had been stated, the only result would be this, that the produce of the imposition would be less than what was contemplated. The argument, that the imposition of a tax upon Church property was equivalent to an alienation appeared to him most futile. Had they not repeated and repeated instances of peculiar taxes affecting peculiar species of property? Had they not some taxes which affected personal property only—others, the burthen of which was borne by the landed proprietors? Why, therefore, he should like to know, was Church property alone to remain untaxed? The intimation which the hon. and learned Gentleman had given of the course about to be taken by the Protestants of Ireland, if this Bill passed, was rather remarkable. They had certainly heard the same threat from other quarters; but that the intimation should also have proceeded from the hon. and learned Gentleman did much surprise him. He could scarcely have expected to hear that the Orangemen of Ireland were about to throw themselves into the arms of those who had hitherto been their bitterest opponents, and become active agitators for the Repeal of the Union between England and Ireland. He was sure there was no fear of the Protestants believing that it would be their interest to dissolve the Union between the two countries, in order to have sitting in Dublin a parliament of Catholics, or nearly so (for such certainly would be a parliament returned by a population four-fifths of which were Catholics), and whose first act would most probably be the total abolition of the Protestant religion. The hon. and learned Member would in vain endeavour to persuade the House that such were the feelings of the Protestants in Ireland. It was utterly impossible they could be so silly—it was utterly impossible they could so forget the interests of the religion to which they were so strongly attached, as for one moment to contemplate a measure fraught with such consequences. In the eulogy which the hon. and learned Gentleman pronounced upon the Protestant clergy in Ireland he most fully concurred, and he should give his humble support to the Resolutions proposed by his Majesty's Ministers, not alone because they were beneficial to the interests of the inhabitants of Ireland, but because he believed they would promote the interests of the clergy themselves.

Sir *John Hanmer* said, that he should not honestly discharge his duty to his constituents if he did not take an early opportunity of entering his most decided protest against the Resolutions of the noble Lord. He presumed that these Resolutions were to be viewed as a prelude to a bill similar in its provisions to that which had already been under the consideration of the House. If so, he could only say, that the House was now called upon to assent to propositions which affirmed the right of the King upon the Throne to violate his Coronation Oath—to violate the provisions of the Act of Union, all the established principles for the protection of property; and, more than he had language to express—went to unsettle all the rights and equities of society. This being his view of the question, he had risen thus early, young and unknown as he was, to declare his sentiments. From the mistakes already made in the introduction of the measure which had been withdrawn, the House would see that this was no ordinary matter of legislation that they were engaged in. If the delay that had occurred should have the effect of palling and blunting the prevailing appetite for change, it would have been well that the necessity for these Resolutions had been created. By these Resolutions it was proposed to lay a tax upon one portion of their fellow-subjects. For this purpose it was proposed to exercise the power of Parliament—a power, which, no doubt, Parliament, possessed, because it would be obeyed, although, constitutionally speaking, it was only when Parliament acted justly that its real power existed. Now, he stood there in his place in Parliament, to deny, in the broadest manner, that there was any principle of justice in these Resolutions. The other night the noble Lord (Lord Althorp) had refused his assent to a graduated Property-tax. How, then, could the noble Lord reconcile his opinion upon that question with his course upon the present occasion, when he was proposing a graduated tax upon the property of the Church? He had not yet heard the reasons of the noble Lord, but he did not expect to find them satisfactory. He repeated, that he stood there to oppose these Resolutions upon broad constitutional grounds, as a violation of the Coronation Oath, the Act of Union between Ireland and Great Britain, and all the principles of equity and the rights of property, which were the boast of the English Constitution. But, leaving these considerations out of the account, he was prepared to contend that, if these Resolutions affected the welfare of the Church, the House was called upon not to pass them without adequate information upon which to guide their judgment, either as to the ratio of imposition upon ecclesiastical incomes, or the necessity of such imposts. Why had the country been agitated for two years, and brought to the brink of a giddy steep, from which it made the mind giddy with terror to look down? Was it not to establish this principle—that no man should have his property taken from him, or his rights invaded, without having an opportunity of being heard in defence of his interests? Yet had the Parliament not sat two months when a measure, framed in a spirit of despotism and tyranny, for the invasion of property, was introduced. Dignities and Prelacies, were the avowed, undisguised, objects of the pursuit of the noble Lord. He would now only ask Ministers to pause and reflect before they committed a gross and wanton spoliation upon the property of the Church. Their proposed taxation upon the Church would be neither more nor less than an act of tyrannous spoliation; and when once Church property was so treated, no man's private property could be secure for a single hour. In fact, he believed that the winter's snow would not be more evanescent than the property of the Church, if the Bill, as it was contemplated by Ministers, should pass into a law. If that were carried, it would be, as it were, the fulcrum on which they would lean to move every other species of property; and, as such, he would give these Resolutions and the Bill to be founded upon them his most strenuous and decided opposition. Thanking the House for the patience with which they had heard him, he would not further trespass on their attention.

Mr. *Sheil* said, that the argument drawn from the 5th article of the Act of Union had been relied on by Mr. Canning, and refuted by Mr. Brougham. In 1825, Mr. Canning had called on the clerk to read the article on a Motion of the member for Middlesex relative to the Church. Mr. Brougham observed that the two Churches were to be united in "Government, discipline, and faith." Temporalities were not mentioned. "*Expressum facit cessare tacitum.*" The framers of the Act of Union could not have omitted the word "temporalities" without a purpose. He thought that this observation was conclusive, unless "discipline and government" were a periphrase for riches, and in the vocabulary of ecclesiastics "faith" was synonymous with gold. He was the worst enemy of the Union who relied on it to sustain the Establishment, and he was the worst enemy of the English who associated it with the Irish Church. It was a junction of the fresh and living with the decomposed and dead, which did not vivify the one, but contaminated and imparted mortality to the other. The member for the University of Dublin had used some menacing intimations. He had threatened the Government with the anger of the Irish Protestants, and hinted that they might throw off their allegiance. Surely the hon. Gentleman, the Representative of the subordination and peaceful habits of a learned and tranquil body, did not mean to say, that Protestant loyalty was the result of Protestant monopoly —that the devotedness to England of that respectable body was of a mercenary character, and that their attachment to their Sovereign was derived from the meanest of all motives, and was little else than the sordid product of pecuniary calculation. He had given notice of an Amendment involving the great question of the right of the State to legislate for the Church; but another Gentleman having given a similar notice before him, he thought it due to courtesy to give way to that hon. Gentleman. The measures of the Government, besides, rested on the right of appropriation, and the principle was implied. He should apply himself to that question. It was plain to him that the property of a Corporation rested on a title as distinct from that of an individual as the nature of an individual was distinct from that of a Corporation, which was the mere creature of the law, and owed its entire existence to the law. Passing from theory to authority, the highest was to be found in favour of Church reform. Paley laid it down, that the chances being equal that the religion of the majority is as good as that of the Magistrate, the Magistrate ought to consult the religion of the people, and not his own. Warburton said, that the Church exists only for the benefit of the State. "Hence," he said in his Alliance of Church and State, "may be seen why the Episcopal is the Established Church of England and the Presbyterian in Scotland, and the equity of the conversion. Hence the duration of the Alliance. When the Church loses its superiority of extent, the Alliance becomes void; the united Church being no longer able to perform its part of the convention, the State becomes disengaged, and a new Alliance is of course contracted with the now prevailing Church." He expressed himself still more strongly in a note to *Clarendon's Rebellion*, where, observing on the demand of the Parliament for the alienation of Church lands, he said, that, "the State may resume what the State originally gave." But what had been the practice of all Europe? Peter the Great seized all the property of the Greek Church, and its functionaries were paid from the treasury. The Emperor Joseph seized all the Church property in his dominions. In Prussia, and all the German States, the clergy were paid out of the public coffers. Arthur Young, in his Travels through Italy, said, "Tithes have been abolished in Tuscany, the estates of the priests, with a slight land-tax, have been found adequate to all the purposes of religion, and almost universally through the Italian States the property of the Church is considered as the property of the State." In Adam Smith's chapter "on the Sovereign," in his Wealth of Nations, he said, "in several Protestant countries, particularly the Protestant cantons of Switzerland, the revenue which anciently belonged to the Roman Catholic Church—the tithes and Church land—has been found a fund sufficient, not only to afford competent salaries to the established clergy, but to defray, with little or no addition, all the other expenses of the State. The Magistrates of the powerful canton of Berne, in particular, have accumulated, out of the savings of this fund, a very large fund, supposed to amount to several millions." Here was a series of strong examples amounting to authority. Was all that spoliation? Had these changes been followed by the invasion of private property? Had convulsions ensued? Those who predicted would do well to look back. The French Revolution would probably be referred to. But what took place before it? The property of the Knights Templars had been seized. It was a constant custom to apply the revenues of Bishoprics to State purposes This was not spoliation before—was it after the Revolution? It was remarkable that Abbe Maury, in resisting the seizure of the French Church property, had relied upon it that it was the property of the poor. But come to England. He should commence with a very recent example. The revenue of the Church of Durham had lately been applied to the establishment of a university. Was this an ecclesiastical purpose? Had mathematics anything to do with mysteries, algebra with theology, chemistry with the Church Establishment? Alchymy had indeed "*converso in pretium Deo.*" This was a strong case. The consent of the prebends was nothing. They could not consent and bar their successors, and plunder the Corporation, if the principles of churchmen were well founded. But go back to the fountain head of English legislation. Edward 1st determined to tax the clergy; Pope Boniface issued a Bull, setting forth strong conservative doctrines—the entire argument on spoliation may be found in this famous document. The British King being put by excommunication out of the pale of the Church, put the clergy out of the pale of the law. The latter gave way and paid the tax. In Rymer's *Fœdera* would be found the formal recognition of the Bishops in the time of Edward 2nd, that the temporalities of the see came from and belonged to the Crown. In the reign of Edward 3rd Wickliffe appeared. The Protestants accounted him the precursor of the Reformation, and beheld in his mind the dawn of that light which afterwards grew to the full splendour of day. He translated the Bible, and called on the clergy to obey its precepts. He insisted on the doctrine which the Irish Catholics now maintain—that the Church was under the control of the Legislature, and its possessions might be appropriated. That charge was set forth in the 9th article exhibited against him. In the 15th of Richard 2nd was passed the statute providing that a certain portion of the tithes should be given out of impropriate benefices to the poor. This statute was renewed in the 4th of Henry 4th. In the 6th year of that King's reign the Commons addressed the King, and entreated him to seize a part of the Church revenues. The Archbishop of Canterbury was present when the Address was presented, and, on his observing that the clergy spent their days and nights in praying for the weal of the State, the Speaker said, with a smile, "He feared that his Grace's prayers would make but a slender supply." He would speak next of the Reformation. The reign of Henry 8th was too notorious to require comment; but, in the succeeding reign, the Bishopric of Durham was seized by the Crown, and the Act confiscating the lands belonging to charities was passed. In the reign of Mary the right of the Legislature to seize Church property was recognized, and the titles of the purchasers of the monastic estates were confirmed. Every one knew that Elizabeth had possessed herself of the revenues of several Bishoprics; but observe the effect of the first statute of her reign. The whole Catholic hierarchy were ejected, with the exception of the Bishop of Llandaff, who was called "the calamity of his see." There was a direct transfer of the property of one Church to that of another Church, not with, but against, the consent of the incumbents; for they were all stripped of their authority, of their means of life, and thrown on the world. James 1st possessed himself, with one grasp, of the entire tithes of Scotland. He would next turn to the Church history of that country. His first extract should be from Robertson's third book. He said, "that in December, 1561, a convention of estates was held chiefly on account of ecclesiastical affairs. After much contention the following plan was approved of by a majority of voices, and acquiesced in even by the popish clergy themselves. An exact account of ecclesiastical benefices through the kingdom was appointed to be taken. The present incumbents, to whatever party they adhered, were allowed to keep possession; two-thirds of their whole revenue were reserved for their own use; the remainder was annexed to the Crown; and out of that the Queen undertook to assign a sufficient maintenance for the Protestant clergy." It was of great importance to consider the doctrines of the great reformers of the time, the fathers of the Scotch Church. In Spottiswood's history of that Church, their tenets would be found. An ecclesiastical Council appointed for the purpose reported to the Parliament a form of doctrine and of discipline. The words in Spottiswood were these: "The 5th head, concerning the provision of ministers, and distribution of the rents and possessions justly appertaining to the Church;" after providing for the clergyman and his widow, the disciples of John Knox went on thus: 'There rest two 'sorts of people who must be provided 'for out of the patrimony of the Church— 'to wit, the poor and the teacher of youth. 'The poor must be provided for in every 'parish, for it is a shameful thing that they 'should be universally contemned and de'spised. The poor widows, the fatherless, 'the impotent, maimed persons, the aged, 'and every one that may not work, or such 'persons as are fallen by occasion into 'decay, ought to be provided for.' In page 164 of Spottiswood, the following is stated to be the doctrine of the Church, as expressed in a second rescript:—'Two 'sorts of men, that is, the preachers of 'the word and the poor, besides schools, 'must be sustained from the rents of the 'Church, and because not only ministers, 'but also the poor and schools must 'be sustained upon tithes, we think it 'more expedient that deacons and common 'treasurers of the Church be appointed to 'receive the whole rents appertaining 'thereto than the ministers themselves.' It was deserving of remark, that they rested their arguments on the canon of the Church giving the *quarta pars* to the poor. Such were the principles laid down at the Reformation in Scotland; and what eloquent lessons did the history of that country present to Statesmen, if they would open their hearts to the philosophy which teaches by example! From 1666 to 1689 what events took place! The efforts made by the Government to inflict episcopacy on the people who repudiated the imposition, produced disaster, bloodshed, insurrection, multifarious crime. The covenant was sworn to at Lanark—the battle of Pentland-hills was fought—the Scotch were defeated—ten were hanged on the same gibbet; thirty-five were hanged at their own doors. Tortures followed—Macail was tormented, and died in a paroxysm of heroism and devotion. The cruelties of Lauderdale succeeded—the Highlanders were called from their savage hills, and quartered on the western counties—Sharpe was murdered in open day, and pierced in the arms of his daughter, who shrieked in vain for mercy—the battle of Bothwell-bridge was fought—a reign of terror commenced—Courts-martial, high Courts of novel judicature, were established—blood flowing in torrents—a country covered with soldiers and banditti—misery unspeakable—famine, pestilence, and anguish, were beheld on every side! At last a great event fell out; the Revolution took place, and on the 22nd of June 1689, the following Act of Parliament was passed: "Act Abolishing Episcopacy." It enacted, 'Whereas 'the estates of this kingdom declared that 'prelacy is and hath been a great and in'supportable grievance to this nation, and 'contrary to the inclinations of the gene'rality of the people, and therefore ought 'to be abolished, our Sovereign Lord and 'Lady do hereby abolish episcopacy; and 'the King and Queen's Majesty do declare, 'that they will settle by law that Church 'government in this kingdom which is 'most agreeable to the inclinations of the 'people.' He had gone through a great deal of citation, and would limit himself to two references more. He would carry them across the Atlantic. In Canada, a case of most peculiar and powerful illustration was presented. By treaty, on the cession of that province, the Roman Catholic Church was declared to be the established one. The revenues of the Church were made payable to the Catholic clergy. That treaty was confirmed by the 14th of George 3rd. Well, what was done? The Protestants were exempted from the payment of tithes on those estates which they purchased from Roman Catholics. The mere sale was sufficient to discharge the property from all ecclesiastical impost if it passed to the hands of a Protestant. This was not accounted spoliation—this was considered quite legitimate and just. The feelings of Protestants were not to be outraged by a payment to a Roman Catholic establishment. There was no plunder here. If this were wise and just on the banks of the St. Lawrence, how did the principle change on the banks of the Shannon? Did it depend on the latitude, or was it supposed that the Catholic millions of Ireland were less sensitive to wrong, and less alive to humiliation, than the Protestants who were located in the Canadian forests? But having thus sought for examples through the world, it might be asked, whether he could find none in his own country? The precedent of 1735 was universally known. The Irish Parliament passed a resolution against the tithe of agistment, and that resolution was turned into an Act of Parliament at the time of the Union in 1800. That Act had since been violated, and the tithe composition deprived the Irish gentry of a privilege which they had made matter of stipulation. He conceived that the tithe of agistment was virtually imposed by the Composition Act, because all land was now brought within the Act, and pasturage was formerly exempt. But the great point was this, that the Legislature had in Ireland directly interfered with the Church property, and stripped the clergy at once of a large share of their profits. Those accumulated facts established beyond all doubt the constant interference in almost every country with ecclesiastical possessions, and it only remained that the Legislature should, in the present circumstances of the country, act boldly and frankly on the principle which must obviously afford the basis of their enactments. A compromise among themselves would avail nothing. They must build their legislation on some principle, and what could it be except the right of appropriating the surplus revenues of the establishment? Let them say so —let them make proclamation of this principle, and it would do more for the pacification of the country than a whole code of rigorous laws could accomplish.

Mr. *Halcomb* said, that he entered upon the discussion fully impressed with a sense of its overwhelming importance. He thought, however, that he should be able to show to the House that the proposed measure was unjust, inexpedient, unconstitutional, and, indeed, contrary to the law of the country. It was a measure which, if he understood the Resolution before the House, was intended to do away with two alleged grievances; namely, the First Fruits and the Vestry-cess. Now the First Fruits did not amount to more than 321*l.* per annum for the last thirty-one years, and the amount of the Church cess applicable to the Church, was not quite 17,000*l.* per annum, although the total amount might be from 60,000*l.* to 70,000*l.* But the House should recollect that the Vestry-cess was a tax from which the Irish clergy had always been exempted, and he, therefore, asked whether it would be fair or just on the part of the Legislature to remove an impost of about 55,000*l.* from the proprietors of land, and place it on the shoulders of the ecclesiastical establishment? The Vestry cess was a tax which was paid, not by the Roman Catholic tenants, but out of the land; and hence it followed that, if the tax were removed, the remission would go as so much in abatement of the charges on the landlord, instead of his being, as the law intended, subject to the support of the poor in a country where there were no Poor-laws. It was also applicable to the payment of parochial officers, and the building and repairing of churches; and he could not help, therefore, protesting against a change by which the burthen was to be removed from the landed proprietors to be imposed upon the working clergy. He denied the right of interference with Church property, which the House assumed, and contended, that the course proposed to be taken by his Majesty's Government was neither based in justice nor founded upon expediency. He could not but concur with the hon. and learned member for the University of Dublin, that such a measure would only tend to alienate the affections of the Protestants of Ireland from the government of this country. He did not mean, that the Protestants would go about promulgating sedition, but they certainly would find it their interest to support a Repeal of the Union; for, being left unprotected, they would have no alternative but to yield to the powerful agitation that was allowed to exist in that country, and to the suppression of which the energies of the Government ought to be directed. By the proposition of the hon. and learned member for Tipperary, he understood that it was intended to apply any surplus that might remain out of the revenues of the Church, after paying the clergymen of the establishment, to purposes of public utility; but to a proposition so monstrous, and, he would add, so contrary to law, he for one never could agree; for he was prepared to contend, that by law, Church property was exempt from direct taxation, and that that House had no power to apply its revenues for other than ecclesiastical purposes, or without the sanction and superintendence of the clergy. This, in fact, was the amount of the compact that existed between the Monarch and the people; for was not the King by his Coronation Oath bound to preserve the clergy of the Established Church their rights and privileges? If that was not expected of his Majesty, why was the question asked, and why did his Majesty solemnly promise to do so? The present measure was in direct contradiction of that engagement into which the Monarch had entered, and he should therefore like to know how, and in what form it was, that his Majesty had signified that it was his gracious will and pleasure to place at the disposal of Parliament, the temporalities of the Church of Ireland. He wished either that the document in which such a signification was contained should be produced, or that the noble Lord or any other Gentleman connected with the Government, should explain to the House the authority upon which the statement was founded. He spoke, of course, with profound respect for men who had exhibited so much skill in the conduct of public affairs; and not being willing to attribute improper motives to any one, he did not doubt but that he should receive a satisfactory answer to his question. He made the inquiry, not only on his own behalf, but on that of his constituents, who were deeply interested in the subject, and who could not understand how it was, that the revenues of the Church were to be applied for other than ecclesiastical purposes, or that ten bishoprics, on being void, were to be altogether suppressed. They could not comprehend upon what principle of justice it was, that the lands, benefits, and temporalities of the Church were to be taken from the clergy and given in perpetuity to a body who were to supply the place of the convocation; and for his own part he must protest against the sort of dictation which had been used to the Throne. That dictation was resorted to, for the first time, on the occasion of the Reform Bill, but he thought it most irregular, and therefore it was that he objected to the thirty-first clause of this Bill. In making these observations, he was actuated only by honest motives, and instead of opposing the Resolutions, as he felt it his duty to do, he should have gladly voted with the Government if he could have done so conscientiously, as he well knew they required the most strenuous support. A perusal of the Bill had, however, convinced him that its provisions were not only dangerous, but involved a gross violation of constitutional principle. This was a reforming age, but, however desirous he might be of conciliating the Catholics, he would not do that at the expense, not only of the Protestants, but he might say of established principle and precedent, which declared that the Church Establishment was not liable to direct taxation by that House. He could never consent to the suppression of Bishops, and placing the revenues of the Church in the hands of Commissioners, who were to be under the control of the Lord-lieutenant; and, although he was ready to admit, that Ministers had brought the measure forward in the spirit of conciliation, he yet was satisfied that it would not attain that object for them; but, on the contrary, tend to alienate the Protestants from the Government, and lead ultimately to the final separation of the two countries by the system of miserable and diabolical agitation to which he had already alluded.

Mr. *Warre* was surprised at the opinions he had heard to-night respecting the violation of the King's Coronation Oath, if he should consent to this measure. It seemed to him that there was no pretence for using any such argument. If he wanted authority to justify him in his opinion he might find it in the sentiments expressed by the Protestant Bishop of Llandaff, who, in writing to a friend in 1805, said, when mentioning this subject, "The Coronation Oath is a confirmation of the promises made by the King to the people. The obligation is broken when it is disregarded, though both the Parliament and the people claim its performance; it is relaxed when the people declare, through their Representatives in Parliament, that they do not require the performance of it." An hon. Member had referred to the fifth article of the Union between Great Britain and Ireland, with a view of showing that a measure like the present could not receive the sanction of the Legislature without breaking the compact made at the Union. That article declared that the Churches of England and Ireland should be united in one Episcopalian Church, to be subject to the same laws; and that the arrangement then made should be taken to be a fundamental part of the Union. But was he to be told, that no alterations were to be made in institutions of human device; and that they should, under no circumstances, be revised by human authority? Could man be so arrogant, as to say, that when he once legislated, he legislated for ever? Eternity and immutability could not belong to anything connected with the institutions of man. What Parliament had done, Parliament might do again; and, however great the wisdom of our ancestors might have been, they could not legislate for ever. With respect to the Church, he trusted that he should not be thought a lax churchman, if he expressed his concurrence with Locke, in saying that a Church was a certain number of people who agreed together in a certain opinion. Elsewhere Mr. Locke had called it "a convention of men." There was a most important distinction between the Church of Christ, and the various structures that had been raised upon it. These structures being formed by men, must depend on their opinions. And on this point he agreed with the hon. and learned member for Tipperary, that it was necessary to keep before their minds the fact, that that which was the true Church on one side the Tweed, was not the true Church on the other side. When, therefore, they talked of the "true Church," it must be remembered that that must depend upon the preponderating opinion of the majority of the community. It must also depend upon the feelings of the people, whether or not alterations should be made in the doctrines and discipline of the Church. He could not help feeling that the Church of England would have rested upon a much more secure foundation if the articles of that Church had been revised as from time to time had been recommended by some of the brightest of its ornaments; for instance, by Patrick, Talbot, Burnett, and others. He was sure that if this had taken place, when it was first proposed, it would have attracted a more numerous body of adherents to the Establishment. Some parts of the Litany might be altered with advantage to the Church, although he was of opinion that, altogether, it was the most beautiful form of human prayer that was extant. He felt anxious to state his opinion upon this point, as it was a subject in which he felt deeply interested. It had been truly said, that religion made the Church, and not the Church religion. It had also been remarked by a distinguished author "That whether we look to the Established Church, or any other institution, it must be remembered that we live in days when establishments are regarded and maintained, with a view to their utility, and not merely with regard to their antiquity." The truth was, that, in these days, it was necessary to act on sound principles. If the right hon. member for Tamworth had been present he should have reminded him of Bacon's expression, that "Laws which are not revised, are apt to grow sour." The House should seriously set about a reform in those institutions, into which abuses had imperceptibly been introduced. He had no doubt that a Reformed House of Commons would apply an effectual remedy to such abuses. With respect to the scale of taxation, which his noble friend the Chancellor of the Exchequer had proposed, by a slight alteration, it would be materially improved. It was suggested that there should be no charge upon a living of less than 200*l*. a-year; and that there should be a charge of five per cent. upon livings between 200*l*. and 500*l*. a-year. It was objectionable, that while the man with 200*l*. a-year paid nothing, the man with 205*l*. a-year should have to pay five per cent. That, in many instances, would operate as an inducement to the suppression of the truth. The difficulty, if not altogether removed, would be, to a considerable degree, obviated, by charging a small per-centage on livings between 200*l*. and 300*l*. a-year; and a per-centage of larger amount on livings of between 300*l*. and 400*l*.; and again, an increased per-centage on livings of between 400*l*. and 500*l*. a-year. With respect to the general plan of his Majesty's Ministers, it had his cordial approbation. It was impossible to avoid introducing an efficient reform as regards the Church establishment in Ireland? and the present moment was the best period for effecting it.

Mr. *Gillon* said, that he too thought some change was necessary, but the plan proposed by Ministers was not sufficiently extensive; it ought to have embraced the abolition of tithes. The hon. member for Dover objected to it for going too far, he objected to it as not going far enough. The Church of Christ must be distinguished from the different Churches that had been founded upon it by the will of men. The Church establishment was a human institution, and as such must require change. Church establishments had been first established by Constantine; they had been marked in their progress with the existence of tithe-proctors, and the course of these persons had, in all countries, occasioned the tears of the widow and the orphan, and might now be traced in the blood of Ireland, which was yet reeking with the slaughter of her citizens. It was unjust to tax a whole country to support doctrines which its population disavowed; and it was against all reason to suppose that seven millions and a half of Irishmen should willingly continue to pay tithes for the support of a Church to which in sentiment they were opposed. The attempt to make them continue this payment was absurd, as well as unjust, and must fail. To enforce it, a standing army was necessary. There could be no reduction of the burthens of this country—no reduction of the establishments, so long as they were determined to collect the tithes of Ireland. He wished for a reduction of the establishments—it was what the people expected; and as one of the most certain means of obtaining that end, he would move in the progress of the measure a resolution to the effect, that, after the death of the present incumbents, the revenues of the Church of Ireland should be thrown into the general mass of the public property.

Mr. *Macaulay*, after stating, that he felt considerably embarrassed in rising to address the House on the present occasion, proceeded to say, that he had two species of opposition to contend against—that of those hon. Gentlemen who did not conceive the Bill went far enough, and that of those who either considered that it went too far, or of those who believed that such a measure never should have been entered upon at all. Now, with respect to the first, he was glad, at least, to learn from the hon. and learned Member opposite, that the Bill was satisfactory so far as it went, and that it would not have, in fact, been equally judicious, if at present it did go further. On this opinion of the hon. and learned Gentleman he was willing to rest his defence of the Ministers for having gone no further. He was heartily glad that the hon. and learned member for Tipperary had withdrawn his notice of Motion, which stood upon the books; and he wished sincerely that that hon. and learned Gentleman's example might prevail with others, and induce them in like manner to withdraw the Motions they had announced. He conceived that it was a matter of extreme importance that this measure should be carried; and he felt that the difficulty of carrying it would be most considerably increased if it were made stronger. He consequently should, if it were necessary, feel no difficulty in moving the previous question, should the hon. Member not consent to withdraw his Amendment. He had now, however, to approach the other species of opposition against which he had to contend, and which was much the more formidable of the two—namely, that the Bill went too far, or rather, that it proceeded on an erroneous principle. Among those who had supported this view of the subject, the hon. and learned member for Dover had contended, that if his Majesty should give his sanction to this measure, it would be given in direct violation of his Coronation Oath. The hon. and learned Member also said, that this measure was a violation of the rights of the Church, and of the rights of property. The argument respecting the Coronation Oath was urged when the questions of the Catholic Emancipation and the repeal of the Test and Corporation Acts were before the House, and he had thought that that argument had been so completely refuted on those occasions, that it would not have been brought forward again. He was, however, prepared to show that the objection had no force. It was perfectly clear, from the words of the oath, that they could not bear the construction the hon. and learned Member had put upon them. What was the oath?—that the King would maintain for the Church "all such rights as do, or by law shall appertain to the Church." The whole force of the passage rested on the word "shall." In another part of the oath his Majesty says, "We declare to govern all our people according to the Statutes agreed to in Parliament;" but surely that did not mean that his Majesty swore to govern by the Statutes actually in existence at the moment he came to the Throne. Certainly not; for if that were the sense of the passage, every Act of Parliament to which the Sovereign gave his consent, in the course of his reign, would be an act of perjury upon his part. How much less, then, was there any doubt of the wording with respect to the rights and privileges of the Church. The fact was, the passage was introduced into the oath for the purpose of guarding the Church against such acts as those which James 2nd exercised as head of the Church. The present measure contemplated no interference of that kind with the Church, and it was perfectly clear to him, that the oath had not the smallest reference to the conduct of the King in his legislative capacity, and did not bar him from giving his assent to any measure agreed to by both Houses of Parliament. Allusion had been made to the articles of the Union as if they prevented any change in the established Church of Ireland. The words of the 5th article of the Union were, that "the doctrine, discipline, worship and government of the Church are to be maintained in both countries unchanged. If this measure were passed, all those things would be unchanged." No alteration was to be made in the Articles, the Book of Common Prayer was untouched, and the discipline would still be episcopal, the Archbishops and Bishops would retain all their authority, and the doctrine and discipline would be unaltered. Would it be said, that the union of certain sees in Ireland made any difference in the doctrine, discipline, worship, or government of the Church? He should suppose not. If so, all the fundamental principles of the government of the Church of England were compromised by the junction between the sees of Lichfield and Coventry. Nor were they destroying the Church of Ireland by arrangements contained in the Bill for a different distribution of Church property. Such arrangements had been frequently made by the Legislature. The present case was a parallel to the case of London after the fire. The number of parishes then destroyed was eighty-seven, and soon afterwards an Act passed by which they were consolidated, and reduced to fifty-one, and a commutation of tithes for a fixed money-payment was also ordained. Indeed local Acts of a similar description were continually passed, and every one of them was as much the destruction of the Church of England as this Bill would be, were it to become a law to-morrow. It had next been asserted that the rights of property had been attacked by this Bill; this, he maintained, was an assertion; if it could be proved, he would give up the Bill. The right of property was of immense importance. To preserve that, Kings, and Parliaments, and Coronation Oaths, all existed. For that alone, law was made. Admitting the momentous nature of this consideration, he denied, that the rights of property had been attacked by the framers of the Bill. No necessity existed which should induce Ministers to infringe on those sacred rights. On the contrary, Ministers felt bound to defend to the utmost the institution of property, believing, as they did, that it was to that institution mankind were indebted for the origin and the progress of civilization—believing that it was in consequence of that institution that we were not now, like our rude ancestors, naked and painted bodies, savages feeding upon acorns and sheltering ourselves in caves. They felt, however, at the same time, that in the institution of property there were many anomalies and evils; and yet these anomalies and evils were not only willingly, but cheerfully borne by the many, in consideration of the manifold blessings which the institution of property conferred upon society at large. He would admit, too, that the anomalies in the distribution of the property of the Church of Ireland were not greater than in the distribution of lay property in other countries. It was an anomaly, that a young man who had never served the commonwealth either with head or hand should hold possession of half a county, while other men, who had deserved well of the State in arts and arms, were left without an acre; and yet this was cheerfully endured by all, rather than derange the settled order of things. This was as great an anomaly as existed between the revenues of the Archbishop of Armagh and the poorest working curate. But, as mankind found no argument in the former for attacking all property, so the latter could supply no inducement to attack the property of the Irish Church. But, the more sacred he regarded the right of property, the more care did it require that the right should not be enfeebled and contaminated by abuses. It was by protecting the abuses with which it was mingled that the institution itself was brought into disrepute. The House had heard from an eloquent voice, which, alas! they would never hear again, some opinions upon the subject of the institution of property, to which he entirely subscribed. He alluded to his excellent and accomplished friend, the late Sir James Mackintosh, who in one of the discussions on the Reform Bill, while he supported in the strongest way the institution of property, denied that it was fortified by the abuses which had accumulated around it. He said: 'Of all doctrines which threaten the principle of 'property, none more dangerous was ever 'promulgated, than that which confounds 'it with political privilege. None of the 'disciples of St. Simon, or of the followers 'of the ingenious and benevolent Owen, 'have struck so deadly a blow at property, 'as those who would reduce it to the level 'of the elective rights of Gatton and Old 'Sarum. Property, the nourisher of mankind, the incentive of industry, the cement of human society, will be in a 'perilous condition, if the people be 'taught to identify it with political abuses, 'and to deal with it as being involved in 'their impending fate.'* He entirely concurred in those observations, and objected strongly to those who cried out that the institution of property was endangered by removing any of the abuses that had gathered about it. He believed the Government were most anxious to preserve the institution of property; but he thought that the best and truest friends of the institution of property had little reason to be obliged to those who talked of Old Sarum as being property, and vested rights existing in it; and of the anomalies and abuses of the Irish Church being sacred property. He wished to have it understood, at the same time, that he allowed an incumbent had a right of property in his benefice, but not of the same species with the right to landed property. The incumbent was a proprietor, but he was also a public functionary; and his rights in the former capacity were controlled by his duties in the latter. He held this property, as subject not only to the existing regulations, but also to such as the Legislature might choose hereafter to impose. The hon. Gentlemen opposite must allow that, unless they were prepared to charge a number of former Parliaments with spoliation, and many of the noblest characters whose names graced our history with having encouraged schemes of robbery, there was nothing in this Bill which could authorise the allegations which had been thrown out against it. It was not a spoliation of individuals; it was not a confiscation of property. It did not legalize rapine and plunder. If that were its character, what must the Act of Supremacy have been? That Act deprived Clergymen who took orders under previous circumstances, of their benefices. It was true they were not married, for that was not permitted; but they might have incurred debts, and involved themselves in pecuniary obligations. Yet, without any regard to their possible situation, the Parliament passed an Act of expulsion against any clergyman who refused to acknowledge the supremacy of Queen Elizabeth. He was aware that few clergymen were affected by that Act, because the great majority took the oath; but one instance of a clergyman expelled was as complete an illustration of the principle as a hundred. That Act was passed when the opinions of men were loose and unsettled, but nevertheless that House would not condemn an Act by which the Reformation was firmly established in England. Again, at the time of the Restoration, when the Act of Uniformity was passed, the Prayer Book was altered. It was changed from that which it had been in the reigns of James 1st, and Charles 1st; and those clergymen who might conscientiously object to the new Prayer Book, were liable to be turned out of their benefices. The Clergymen were all told, that if they did not, before a fixed day—and that day was St. Bartholomew—notify their assent to the new Prayer Books, they would be ejected from the Church. The consequence was, that several thousands of the clergy were obliged to abandon their livings, and the Church lost several distinguished men. He admitted, that the authority of many exemplary and excellent individuals was given, to add weight to the principles of this Act; and that it received the sanction of Sheldon, of Juxon, and of other equally celebrated men. That Act was either one of direct spoliation, or else there was an absolute distinction between Church property and other property: since the proprietors of benefices were deprived of their property, for refusing to conform to certain prescribed regulations which were not enforced until long after they were in possession of their benefices. He would not dwell on the changes at the Revolution, but he would come to an Act passed in our own time, introduced by one who could not be accused of any wish to lessen the right to church property—the late Mr. Perceval—and followed up and perfected by Lord Harrowby. According to the principles laid down to-night, this must have been as complete a spoliation of property as ever was committed. It provided, that all non-resident clergymen should, under certain circumstances, pay a salary to a curate, proceeding upon a graduated scale, almost similar to that recommended in the measure now before the House. That was as much a violation of the incumbent's right of property as was contemplated by the present Bill. The right hon. member for Tamworth said, on a former debate, that if the Legislature imposed a tax on absentees, it would be neither more nor less than an act of confiscation. He said, that such a proceeding would be utterly inconsistent with the preservation of the rights of property. But, in the Bill he had just alluded to, and which was introduced by one who was a leader of the high Church party, within the last thirty years, there was either a recognition of the difference between Church property and other property; or else it was a positive confiscation of property. His own opinion of Church property was, that it was a sort of mixed property—that it was something more than salary, and something less than an estate; and no man could deny, after the cases he had quoted, that the Legislature had a right to deal with it. In one sense it might be compared to the half-pay of our army and navy. No man would say, that the total abolition of that half-pay would not be a grievous spoliation. Yet, though it was admitted to be the property of the individual, no man would deny the right of the State to regulate it in any manner it pleased. Such power had repeatedly been exercised, in changes and regulations respecting it, both in respect of the amount, and of the administration of the fund from whence it was paid, when the benefit of the service had seemed to require it. If the good of the Church, and the well-being of the community could be promoted by a new distribution of Church property, was there any reason why the Legislature should not make it—provided that existing interests were honestly and liberally considered? He admitted that this measure would take something from the clergy; but in no case would it take such an amount as to reduce any of them to distress. The money to be taken from them was to be applied to purposes beneficial to the clergy themselves, and to the security of the Church in Ireland, by removing some portion of that odium, which was entertained to an alarming extent against the Establishment in that country. He did not expect to hear any hon. member of that House contend, that not filling up a vacant bishopric was a spoliation, or a violation of property. How could it? There could be no robbery where there was no person to be robbed, and there could be no injury where there was no one to be injured. The bishopric of Waterford, for instance, was vacant, and it was not the intention of Government to fill up the vacancy. To whom was the injury done here? Not to the bishop—for there was none; not to his predecessor, for he was dead; not to any of the 10,000 persons from whom a selection might be made, not one of whom would probably consider his chance of the appointment worth a sovereign. There was, then, no injury to any, unless it could be shown that those who had been under the spiritual care of the preceding bishop were to be left without future spiritual instruction; but if adequate provision were to be made on that head, there could be no injury to any party, but there would be a direct and positive good in the application of the revenues of that see to other Church purposes which required them. He had heard with astonishment the argument of the hon. and learned member for the University of Dublin, who maintained, "that the whole property of the Church, even for the purpose of distribution, was beyond the control of Parliament, and that no Parliament could sanction any measure of this kind without being guilty of sacrilege." He denied the truth of the proposition of the hon. and learned Gentleman. Parliament had the same power to alter and remodel, as to frame; and the Church of England had no rights, except under the Act of the Legislature. Did the hon. and learned Member say, that the unity of the Church would be destroyed by the diminution of ten Bishops in Ireland, when the whole doctrine, and discipline, and worship, continued the same? Or did he mean to say, that that unity was to be kept up only by its temporalities remaining in the same hands? Did he mean to renew the doctrine of those who once held, that the gold was to be preferred to the temple which sanctified it? Had the clergy of England been as inflexible in doctrine as some of their Bishops at the period of some of the changes of doctrine and worship to which he had already alluded, would not the whole of the Church property of the country have changed hands? What would then have been said of the identity of the Church? What would the hon. Baronet, the member for the University of Oxford say to a revision of the wills of those pious men by which the colleges which he represented had been so liberally founded, and so munificently endowed? If he contended that any interference with Church property was spoliation, as no doubt he would contend, what would he say, on referring back to the wills and donations of some of the pious founders of the colleges of Oxford? William of Wyckham; Chicheley, the opponent of the Lollards; Flemming, the enemy of Wickliffe; Cardinal Wolsey, a candidate for the Papal Throne; Sir Thomas Pope, the follower of Mary and the teacher of Elizabeth—would have burned off their hands before they left bequests which they conceived were likely to be used against the religion they professed. If any one had told any of those pious founders, that mass would soon cease to be celebrated in the chapels which they had built, and that the refectories and chambers of the halls and colleges which they had endowed, would no longer be occupied by those who acknowledged the jurisdiction of the Bishop of Rome in England, they would much rather have left their money for the education of laymen without religion than have it used for the dissemination of doctrines which they considered as atrocious heresy. He would support the measure because he thought it would tend to the peace of Ireland—to the preservation of property there—to the real benefit of the clergy. It was the beginning of a series of judicious measures of reform, which would greatly promote the interests of religion and of the Established Church. He looked upon it also as one which would be for the interest of the people of England. But, before he concluded, he was anxious to remark that one of the objections urged against the Bill was, that by reducing the number of Bishops they left no room for the expansive force of Protestantism—no machinery by which the affairs of an Enlarged Church might be administered. Ireland was about half the size of England, and she was to have half the number of Bishops which England had. If Protestantism should expand, it would have the machinery necessary for such expansion; but he owned that he did not anticipate any such expansion, with all its wealth, and power, and learning. It had not been deficient in these aids—it had not lacked the aid of whatever they could give of penal laws in its favour; and yet the Protestants of Ireland at the present day were not a fourth of the population, and of that small number more than the half did not belong to the Established Church. Compare the expansive power of Protestantism in Ireland for the last century and a half with that which existed in the 16th century. The spirit—the restless and overmastering spirit—of Protestantism was much changed. That spirit which displayed itself in so eminent a degree in the 16th century, which bore it along triumphantly against Popes and Cæsars, and General Councils, and Princes, and Prelates—which enabled it to subdue conquerors, and armies—made it proof against inquisitions, and dungeons, and racks, and slow fires—had fled. The heart and mind of man, supported by the enthusiasm of a pure faith, had then triumphed over all opposition against all. Within a brief period Protestantism had spread from the Vistula to the Danube; from the Pyrenees to the Frozen Ocean. The same person who heard Luther preach his first sermon against indulgences, might, without enjoying a life protracted to a great number of years, have observed Protestantism expanding itself, and established in England, Scotland, Ireland, Holland, Sweden, Denmark, Norway, the North of Germany, a part of Switzerland, and struggling in France, not for toleration, but for supremacy. But, as a Protestant, he regretted to say, that Protestantism had made comparatively little progress during the three last centuries. It remained, on the Continent, where it had reached in the days of Philip and Mary, or rather it had receded within the marks to which it had then extended. And what had already arrested its course in Ireland? Was it that the doctrines were less pure, or was it, that from the constitution of the human mind, as men became more and more enlightened, they were less and less capable of perceiving the pure truth? Was it that the Protestant Church in Ireland had not been supported by wealth, and dignity, and power, and by the aid of favouring and penal laws? Certainly not. How then was it? If he were a Roman Catholic, he might say, because the Catholic faith was strong in its strength, and founded on the immortality of truth; but, being a Protestant, he must look for some other reason, and inquire if they had not incumbered the Establishment by worse than superfluous helps, and whether in succeeding to the wealth and pomp of the religion of Rome, Protestantism had not become tainted with something of the languor of the old religion? Had the progress of vigorous and sound thought been arrested by that fatal languor which accounted for the want of success of a great general of antiquity, who declared he had lost more at Capua than he gained at Cannæ. How was it that the spirit of Protestantism had died out where it had been raised to honour and wealth, when it had formerly extended itself, in spite of opposition, over all the kingdoms of Europe? He would not however pursue that painful theme. For himself, at least, he must say, that he did not conceive that there could be any marvellous advantage to the cause of Protestantism, by the retention of the sees which the Bill proposed to dispense with hereafter. If Protestantism depended upon sees, there would not be a Presbyterian in Ulster, nor a Catholic in Connaught. It was time that they should try new councils, and that they should remove the grievances of the Dissenters, and restore peace to Ireland, and its just and proper powers to the Protestant Church.

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* Hansard (third series) iv, p. 685.

Sir *Robert Inglis* was compelled, by the allusion of his hon. and learned friend, to address the House on the present occasion. If he had reason, on most occasions, to request the indulgence of the House when he spoke, how much stronger reasons had he in this instance, when he rose after the able and eloquent speech which had just been delivered, and when, from indisposition, he could scarcely hope to be audible, and could not go into the subject as he could wish. He hardly expected when he came into the House that he should have been called upon to enter into a defence of the Protestant religion generally, and of the peculiar Protestant Church of our own country. His hon. and learned friend, in reference to the learned body of which he had the honour of being one of the Representatives, asked what the founders of colleges would have said had they been aware of the purposes to which the revenues they had bequeathed would be devoted. Now, the founders of these colleges certainly left their bequests for the promotion of the glory of God, and the education of the youth of this country. Was not, then, the general tendency of the Protestant religion for the last three centuries to promote the glory of God, and the instruction of the youth of this realm? If those great men had lived in our own times, there was reason to hope, that the same feelings which prompted them to found these institutions for the glory of God in their day, would have equally operated upon them in the better age of the Reformation; and they would have shared in the light and intelligence of that age, like their successors. He might ask whether Chicheley, and Wyckham, and Wainfleet, might not have been like Cranmer, Ridley, and Latimer, and have been ready, like them, to sacrifice their lives for the pure faith when it was restored. The two last of those illustrious men, were burnt in that very city in the midst of those noble foundations, and exclaimed at the stake that the light was then kindling around them in England which never could be extinguished. His hon. and learned friend had directed his speech to the state of Ireland for the last two centuries, and had stated, that the expansive force of Protestantism, a phrase used on the first opening of this subject, was no longer apparent there. But the spirit of the Protestant Church had prevailed to a great extent in Ireland, and from the period of the Revolution to the Legislative Union, that Church was the only link between the two countries. No man could have read the history of that country without being sensible of the difficulties with which religion had to contend there. He was bound to admit—no man who had read Archbishop Boulter's letters, or knew anything of the Administration of Primate Stone, could fail to admit—that, for the sake of maintaining the connexion of the two countries ("the English interest" in Ireland, as it was always called), the churchmen of those days were, in many cases, too much secularized; and though there were splendid exceptions, their high and peculiar duties were too often overlooked. But many of these reasons ceased when the local legislature was removed; and it was from the time of the Union that he dated the spiritual foundation of the existing Church in Ireland. Since then, reformation had been proceeding in the Church, and within the memory of many who heard him, the number of resident incumbents and ministers of the Church in Ireland had been doubled, and not less than 350 churches had been erected where churches did not exist before; further, a body of curates had been established in Ireland, exceeding in number the whole of the beneficed clergy to be found there in 1792. Moreover, wherever these churches had been erected, congregations of active and willing Protestants had been found, so that it had seemed only necessary to build a church for a congregation naturally to come to it. These churches, therefore, had not been built in the desert, or if they were, they soon formed an oasis in it, surrounded by congregations of devout communicants. In considering the expansive force which Protestantism had exerted in Ireland, it ought to be borne in mind how little had been done for it in Ireland from the time of Elizabeth downwards, compared with what had been done for the Church in England. Did the House recollect, that the bishoprics in the north of Ireland, where Protestantism was most prosperous, were not even filled up by Queen Elizabeth, with the exception of one, over which a bishop presided for two years; the queen, as the bishops fell off, appropriating the revenues to her own use. Indeed, this was not the worst particular he had to state, for not only were eight northern bishoprics kept vacant, but four were actually left in the hands of Catholic bishops for 100 years after the Reformation. Protestantism, therefore, had not the same chances of success afforded it in Ireland which were afforded it in England, and which it had a right to expect from those who called themselves the supporters of Protestantism. Short as was the speech of the noble lord, still it opened the whole question of our Church Establishment, and a most important question it undoubtedly was. The question was not now whether they should support the Protestant Church of Ireland, or the Protestantism of the University of Oxford, or whether they were to impose a graduated Property-tax on a small portion of the community without the consent of the ministers of the Church who were interested in it; the question was not as to the comparative merits of Protestantism and Catholicism, though all these subjects had been discussed. No, the immediate question was, whether an ecclesiastical Commission should be appointed to superintend the affairs of the Church. That was the practical effect of the first resolution, which alone was before the House, and which declared—"That it is the opinion of this Committee, that it is expedient that the Lord-lieutenant of Ireland should be authorized to appoint Ecclesiastical Commissioners for the purpose of carrying into effect any act that may be passed in the present Session of Parliament to alter and amend the laws relating to the temporalities of the Church in Ireland; and that the said Lord-lieutenant be empowered to order and appoint such salary or other emoluments as he shall deem fit to be paid to such commissioners, not being bishops." That Resolution went to divest the Crown in a great measure of the superintendence over Church property in Ireland. Hereafter that power was not to be exercised by the sworn advisers of the Crown, but by Commissioners appointed by the Lord-lieutenant of Ireland. To such a proposition he could not agree. Was it fitting that one of the highest functions of the Crown should be delegated to that or to any other ecclesiastical Commission? He apprehended also that those Commissioners would have it in their power to suspend the worship of Almighty God in such places as they might think proper. He denied the power of the Crown of England to suspend the exercise of the Christian faith in any place whatsoever; and if the Crown did not possess such a power, how could it be vested in Commissioners? No reason whatever had been shown for taking from the Crown its right of superintendence over Church property, and as little had been advanced to prove the necessity of contracting the number of bishoprics. He should like to know what was to be done with the patronage of the reduced sees. Was it also to be placed at the disposal of these Commissioners? Much mischief had occurred in former times from Ecclesiastical Commissions in England. There was no power to be given to this Commission which might not be better and more appropriately exercised by the Church itself, through the medium of its dignitaries. He would not then trespass further on the House, but reserve himself for discussing the details of the measure.

Mr. *Finch* said, the speech of the hon. and learned member for Leeds showed clearly enough that Ministers were not fit to undertake Church Reform. Much had been said by the hon. and learned Member as to the Protestant reformation not having been very successful in Ireland; but why was the reformation in that country so long delayed? He would answer, that it was in consequence of misgovernment. The Protestant clergy of Ireland had, however, exerted themselves with great zeal and with not a little success. They had entered on the task of disseminating education with much alacrity; and the consequence was that 200,000 Roman Catholic children were educated by their efforts. That success, too, it should be observed, was obtained in opposition to the exertions of the Roman Catholic priests. The next thing they endeavoured to do was to establish a standard of faith; and with that view tens of thousands of copies of the Bible were distributed through Ireland; and that likewise in opposition to the exertions of the Catholic priesthood. The Irish language was also studied, and the clergy were thus enabled to preach in that language. So much for what the Protestants had done. But, on the other hand, what was the conduct of the Government? Did Ministers during the last Parliament, evince a desire to uphold that species of education in Ireland? They did not. Instead of proceeding on the old system, they had patronized a new system of education which had the good fortune to be approved of by Dr. Doyle. When Ministers thus gave their hands to the Roman Catholic party, and slighted the Protestant, was it fair for the hon. and learned Gentleman, who was a member of the Government to throw the blame on the Protestant clergy? There appeared to be three parties in Ireland who viewed the Church with angry feelings. First, there were the Dissenters; nothing would satisfy them but the separation of Church and State. Second, the Roman Catholics; they expected the restoration of their church; they wished to enjoy supremacy both in Church and State. The third was the revolutionary party, who hated the Church, because through it men were taught the duties which they owed to their Creator and their country. These were not the parties that ought to be conciliated. Ministers ought, on the contrary, strenuously to support the Church party. If the incomes of any of the Bishops were too large, why, let them be diminished, but let not the Legislature cut down the number of Bishops. As vacancies occur, let men of apostolic habits, of pure morals, who had studied the Irish language, and who could, like the Bishop of Tuam, preach in that tongue,—let such men be appointed and reformation in religion would soon spread throughout Ireland. The noble Lord, in introducing his proposed alteration, had declared it was necessary on account of abuses. He would ask what abuses, for certainly the existence of no abuses had been proved?

Lord *Althorp* said, the hon. member for the University of Oxford had observed, that very serious duties would devolve on those Commissioners who were not sworn servants of the King, as in them would be vested the power of superintending Church property in Ireland, which now rested with the Crown. They certainly would be armed with authority to suspend appointments in cases where duty had not been performed for three years prior to the passing of the Bill. Some new powers would undoubtedly be given to them, but not such powers as the Crown now possessed for superintending the Church property of Ireland. The hon. Member had asked what was to become of the Church patronage that now belonged to the see which it was proposed to abolish? It was the intention of the Government that such patronage should remain with the Bishop, to whose see the diocess that was no longer to possess a Bishop should be annexed. It was not intended, as the hon. Member seemed to think, to place that patronage at the disposal of the Commissioners. The Commissioners would not have any of those powers which the hon. Gentleman seemed to imagine would supersede the authority of the Crown. No intention of the kind existed. The uniting of sees had not only been done in Ireland, but frequently in England, by Acts of Parliament. There was a remarkable instance of the union of Westminster with the see of London, which took place with the approbation of Cranmer and Ridley. Certainly the alteration as to the levying of the Church cess would impose a burthen upon the Church, but then it would be for solely ecclesiastical purposes. He did not feel it necessary to go further at present, confining himself as he did, to the Resolution immediately before them. When the other resolutions came successively under consideration, he should go into the details connected with them.

Sir *Robert Peel* said, that if every Member who had spoken had adhered to the rule adopted by the noble Lord, and had confined himself strictly to the Resolution before the Committee, he should have been glad to follow such an excellent example. As the first Resolution was a mere resolution of form, a resolution to the effect that certain Commissioners should be appointed, and as the assenting to it would not deprive him of objecting to the appointment of such Commissioners hereafter, he should have made a shorter speech even than that of the noble Lord, had it not been that the whole debate of the night had turned upon the main object of the intended measure, contained in the Resolutions which were to follow; and as it appeared to him more convenient that they should now discuss the main question, instead of resuming the discussion upon it, with five hours and a half of debate lost, he would then enter into that discussion. He begged, before doing so, to observe, with regard to the present Resolution, that he doubted much whether they ought to establish the distinction of salaried and unsalaried Commissioners. It was plain that the ecclesiastical unsalaried Commissioners would be frequently called away to the performance of other duties; that some of them would be summoned annually to London, to attend their parliamentary duties in the House of Lords, and that therefore the whole practical work of the commission would devolve upon those salaried Commissioners who held their situations at the pleasure of the Crown. He should therefore reserve to himself the right of objecting hereafter to granting salaries to those Commissioners. He should now proceed to the main subject of the debate which had been raised by the second and third Resolutions. The second Resolution regarded the abolition of first-fruits, and the provision of a substitute in lieu thereof; and the third Resolution proposed the complete abolition of Vestry-cess. It appeared to him that it would have been a wiser and a better course of proceeding that the abolition should not take place until the substitute had been provided. In the way they were proceeding at present they were only re-acting the part which they had acted last Session, when they decided on the "extinction of tithes," without providing a substitute; and let the House mark what had been the result. Warned by that example, ought they not to take care that they did not practically put an end to Vestry-cess, from the moment they declared that it ought to be abolished. The second Resolution provided that any loss which the abolition of the Church cess might occasion should be provided for by a tax to be levied separately upon the clergy of Ireland. The noble Lord in his first speech, in introducing the Bill, calculated the Vestry-cess, the abolition of which was contemplated, at 60,000*l.* or 70,000*l.* a-year, and he said then that it would not be necessary to provide a substitute to a greater amount. Surely the noble Lord should recollect that there were two species of Vestry-cess—one, from the levying of which in vestry, Roman Catholics were excluded, and which was applied to the maintenance of the fabric of the Church, and other strictly ecclesiastical purposes. [Here the right hon. Baronet was interrupted by a stranger, who had occupied a seat under the gallery, and who, rushing forward up the floor to the Table where the mace lay, exclaimed, "Stop, Sir Robert Peel. I beg your pardon. I declare (here he turned his face to the gallery) that I am a poisoned man. I am poisoned by Earl Grey. I am a poor unfortunate Irishman, and my name is William. I came here to look for justice, and I am poisoned by Earl Grey's orders!" There were loud cries of "Order, order," during the delivery of this incoherent address, and the Chairman having called the Serjeant, the offender was removed in custody out of the House.*] A portion only of the Vestry-cess was applied strictly to ecclesiastical purposes, and before the House of Commons undertook to legislate on a matter of this nature, it ought to ascertain the exact amount of the tax to be taken off, and the amount required from other sources to supply the deficiency. It was only that part of the cess to which he had referred, the impost in lieu of which could with any justice be laid on the Church, and that was greatly exaggerated when its amount was stated by the noble Lord at 60,000*l.* or 70,000*l.* a-year. It was plain, that the noble Lord had very little information respecting its amount. But, surely, when the noble Lord proposed to lay a tax upon the clergy, he should know the amount of that cess for which the proposed tax was to be a substitute. Surely, if they wished to attach the principles of permanency to the reform which they were about to effect, they should go through all those preliminary considerations by which something like justice might be observed. If Gentlemen wished reform to be beneficial and permanent, it must be just. To be just they ought first to ascertain the amount of the sum, otherwise how could they say, that five, ten, fifteen, or any other per centage on the income of benefices would be sufficient? The intention of the last Resolution was, to relieve the land of Ireland. They were not about to give anything to the poor of Ireland by these Resolutions, but they would relieve the land of a certain burthen, from which however the immediate occupier of the soil would derive no benefit. What could prevent the owner of the soil, when he found the occupier relieved from this charge, from demanding an increase of rent. Was there any precaution to prevent it? He did not know whether it would be possible to prevent it, but that would furnish a topic for future discussion. It was, however, a practical part of the subject which had been overlooked by the hon. and learned member for Leeds. The speech of that hon. and learned Gentleman had nothing to do with the Resolutions before the House. His speech was as applicable to Church property in England as in Ireland, and the gist of it was, that Parliament, not on account of any grave necessity, but on any, the slightest allegation of expediency, had a right to lay a tax upon this species of property. The hon. and learned Gentleman even went further, and exclaimed: "Let us hasten to relieve ourselves from the opprobrium that has befallen us. Every nation in Europe has confiscated Church property, while we are yet behind in that noble career of improvement. Let us hasten to follow the example of others." The hon. and learned Gentleman was not content with declamation, but referred to authorities. He cited the practice of that great ecclesiastical Reformer—Peter the Great. Joseph the Second was another of his authorities—but the practical result of his Church Reforms in the Netherlands was surely not very encouraging. The hon. and learned Gentleman had gone so far back as Philip Le Bel for a precedent by which the fate of the Church of England was to be determined. They had a perfect right, it appeared, to dispose of the Church property, not only in Ireland but in England, because the hon. and learned Gentleman would find examples of confiscation upon the part of despotic sovereigns. He should now apply himself to the Resolutions before the House. He did expect that whatever tax the noble Lord intended to impose would have been specified in the Resolutions; but they had not even as specific a statement of it as was contained in the former Bill. The Resolutions merely contained the vague general principle that a tax should be imposed. What was the object in having a Committee of the whole House in the first instance, if they were not to have a detailed statement as to the nature and amount of this tax? The second Resolution merely established the principle that such a tax should be imposed—it merely stated that "it is expedient to make provision for the abolition of the first-fruits in Ireland, and in lieu thereof to levy an annual assessment upon all bishoprics and archbishoprics, and upon all benefices, dignitaries, and other spiritual promotions above the yearly value of 200*l.*, to be applied to the building, rebuilding, and repairing of churches and other such like ecclesiastical purposes, and to the augmentation of small livings, and to other such purposes as may conduce to the advancement of religion, and the efficiency, permanency, and stability of the United Church of England and Ireland." The effect of that second Resolution, as he had already stated, would be, to relieve the land from a burthen to which it had been hitherto subject, and subject to which it had been taken, and to throw that tax upon the benefices of the clergy, who had entered upon them not subject to such a burthen. This tax, too, was to apply to existing interests. Now, he for one, would be ready to consent to the principle, that first-fruits should be abolished, for he thought the mode of collection a bad one, and that a better one might be devised; but surely every principle of justice required that existing interests should be secured from the imposition to be provided as a substitute. Was it consistent with common justice to throw this imposition upon individuals holding benefices who had taken them upon the implied condition that they should not be subject to it? He would take, as an instance, a benefice that had been entered upon, say three years ago, and the first-fruits of which had been paid, would it not be extremely hard, and most unjust, that the individual thus absolved from the first-fruits because he had already paid them, should be subject to this tax? This was not only subjecting to this tax existing vested interests, but subjecting to it a man who had already given the equivalent for it. There were many such cases in Ireland. He knew himself of the case of a living of 1,300*l.* or 1,400*l.* a-year, wherein the incumbent, owing to family circumstances, had been obliged to ensure his life, and wherein he was now in the receipt of only 300*l.* a-year. A great portion of his remaining income would be absorbed by this tax? Was a person so circumstanced to be totally deprived even of the means of subsistence for himself and his family? It was on the express condition that existing interests should remain untouched that Ministers had obtained his consent to substitute a tax for first-fruits, and he should hesitate to proceed further if the condition was not adhered to. There could be no doubt that Ministers did not originally intend the tax to fall on the existing occupants of benefices; for the Resolution of the Committee of last Session (the right hon. Baronet read the Resolution) declared that the tax in lieu of first-fruits was to affect only benefices hereafter falling in. It was clearly the intention of the framers of the Resolution that the impost was only to be levied upon future incumbents. Thus, then, was the faith of Government pledged to the protection of existing interests. The hon. member for Leeds (Mr. Macaulay) had endeavoured, but with a very light and timid touch,

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* At the close of the business, a medical gentleman, who had visited the individual (mentioned in the text) was called to the bar, and gave it as his opinion that he was of unsound mind. It was ordered, that he should remain for the present in custody:

> Et quæ
> Desperat tractata nitescere posse relinquit,

to draw a distinction between the property of ecclesiastical and lay corporations; but not one word did he say upon the subject of vested interests. Indeed he seemed to imagine that none existed. He could not admit the justice of the hon. and learned Gentleman's argument, that because there had been a transfer of the property of the Church from the Roman Catholic to the Protestant Church; that therefore, they had now a right to seize upon that property whenever they pleased, and deal with it as they pleased. Parliament had a right to see that the trusts for which the property was granted were performed, and might interfere for that purpose; but that principle could never justify the right of interference, not only as to the distribution, but as to the diversion of the property, for which the learned Gentleman contended. The learned Gentleman seemed very much embarrassed to determine the precise character of Church property. He seemed to labour under considerable difficulty in discovering a resemblance between the condition of clerical property and any other. At length out came the hon. Gentleman's very original idea. A clergyman, he said, in respect of his property, was not like a layman—he was not like the inheritor of an entailed estate—but he was remarkably like a half-pay officer. Now, why he was like a half-pay officer the hon. and learned Gentleman did not condescend to explain; but he must say, that, if wit consisted in finding an analogy between things apparently remote, this observation of the hon. member for Leeds was one of the wittiest things he had heard for a long time. But granted that a clergyman, in respect to his clerical income, was circumstanced like an officer in respect to his half-pay—granted, that there was no wit, nothing but plain truth in the analogy,—how did this help the learned Gentleman's argument? Would he act by the officers on half-pay, as he proposed to act by the Irish clergy? Would he venture to allege, that, because it was inconvenient to the general body of the people to maintain barracks, that therefore taxes to the amount of their maintenance should be abolished, and the deficiency made up out of the vote for half-pay? If any man having a general knowledge of passing affairs, had been told that the House of Commons had been sitting and deliberating upon the Church of Ireland, he would naturally have imagined, considering the destitute condition of the clergy of that Church, that the object of their deliberations was to provide some adequate relief for the sufferers. What would be his just surprise to learn that that was not the object, but that it was to endeavour to discover the best means of extracting a tax from the impoverished clergy of the Church of Ireland? Many of that clergy had not for three years past, received one shilling of the dues they were legally entitled to. This tax, then, if extorted at all, must be taken out of the first tardy incomings of the clergyman whose family was already reduced to beggary. What would remain for their bare subsistence? How much was wanted in all for the Vestry-cess? Ought they not to be made acquainted with that fact? They had heard of great expectations from the sale of Bishops' lands. Would not the amount realised from that source be sufficient? The Committee would see how important it was, that they should have some estimate of the sum required to enlighten the darkness they were in on the subject. The noble Lord opposite (Lord Althorp) had told them that the measures of Government last year for the collection of tithe had failed, and that it was their intention to come forward with others. And then, before the noble Lord told them what were his new measures for the relief of the clergy, he called upon them to concur in a tax upon that very clergy. The preamble of the Irish Clergy Relief Act of last Session set forth the "existence of a conspiracy to prevent the collection of tithes, whereby the ordinary process of the law was of no avail," and that "it was expedient to devise some mode of relief for the clergy, who were then in a state of great suffering." The mode of relief was now explained—and it turned out to be a new tax. He felt the absurdity of multiplying arguments against the gross injustice of the noble Lord's proposals. The duty of the House was first to ascertain if there was any income at all collected by the clergy for them to tax; next, to ascertain how much was wanted; and, lastly, to avoid interfering with existing interests. Last year, when the right hon. the Secretary for Ireland, used the words "extinction of tithes" in his Resolutions, he (Sir Robert Peel) rose in his place and warned him of the consequences which had since ensued. Although the noble Lord did not intend that these words, going forth from the lips of a Minister of the Crown amongst a credulous and excitable population should be construed into their obvious meaning—namely, utter and unqualified extinction; yet to that phrase might be traced a great deal of the distress of the clergy of Ireland. The other night he had also cautioned his Majesty's Government against the proviso inserted in the Coercion Bill, that the Lord-lieutenant should not proclaim any district because of the "nonpayment of tithes." An illiterate peasant would naturally conclude that the meaning of the exemption was, that the Legislature looked with jealousy upon the collection of tithes, and encouraged him in his passive resistance to them. He admitted, that for the sake of Protestantism in Ireland, the Church of Ireland should undergo revision. But it must be done deliberately. Their first task was to do their duty to the Church of Ireland. They might then see what property there was to tax. At present there was none. For his own part, he was bound to say, that he did not think the Coronation Oath an insuperable barrier to the King's giving his assent to a well considered measure for the reformation of the Church of Ireland. He had been as active an opponent of the concessions to the Catholics as any one in Parliament, but he had never relied upon the Coronation Oath as an obstacle to those concessions. He had never thought that that oath bound the King to maintain the Church and all its members, in possession of precisely every right and privilege which they might have possessed in 1688. It did bind him to consult all the essential interests of the Church, to provide to the utmost of his power for its security; but it left him a discretion to take the course, which, in his conscience, the King might believe best for those interests and that security. It was a disgraceful fact, that the clergy of Ireland were now subsisting upon eleemosynary aid; and, if in such circumstances, the noble Lord were to interfere with existing interests, he would establish a principle which would assuredly be afterwards visited upon other property. He hoped that before to-morrow the noble Lord would consider this subject, and make some modification of his Resolutions. He would appeal to all Reformers upon this point, and he was sure they would not suffer the principle of Church Reform to be degraded and dishonoured by an act of paltry and unprofitable injustice.

Lord *John Russell* would endeavour like the right hon. Baronet to confine himself to the question immediately before the House, but at the same time it was impossible not to see that the whole of the Resolutions were closely connected with the plan of Church reform propounded in the Bill already introduced to the House. He must observe with respect to the general object of these Resolutions, and of the Bill with which they were connected, that it was his wish to maintain the Church of Ireland, although not perhaps exactly in the same manner as some hon. Gentlemen appeared to desire. The right hon. Gentleman asked how it was possible to abolish Church-cess, until the House knew its actual amount. Though he did not know exactly the amount used for Church purposes, he believed that the whole sum levied was about 60,000*l.*—certainly it did not amount to 70,000*l.* The real question before the House was, whether or not they were prepared to abolish Church-cess; which, if it were not the most oppressive tax, was certainly the most obnoxious to the feelings of the people. Let the House conceive a case,—which was by no means of rare occurrence—where only twelve or fourteen persons in the parish were Protestants; and yet all the Catholic inhabitants were called upon to pay this rate. The right hon. Baronet had admitted that some measure should be passed with a view to getting rid of the Church cess. The Committee of last year said, that they thought that it would be well to abolish this tax, and to substitute in its place, a charge upon the clergy to the amount of from twelve to fifteen per cent. It must be recollected that the revenue given to the Church, was not intended for the benefit of individuals; but for general utility. But then, said the right hon. Gentleman, you cannot take the amount of the Church cess from the revenue of the Church, at present; you may impose a tax upon those who, for the future, derive an income from the Church cess; it was unjust and bad in principle to tax the present incumbent. It was desirable that there should be no misunderstanding on this subject,—such as was occasioned last year on the subject of tithes, in consequence of an observation of his right hon. friend who brought that matter under the attention of the House. He believed that it was not only the opinion of the right hon. Gentleman, but it was the general feeling of the House, that the Church cess should be extinguished. Now it was the opinion of his Majesty's Ministers that it was desirable to abolish that rate at once, and for ever. If the plan of the right hon. Gentleman were adopted it would be a considerable time before that result could be attained. Let the right hon. Gentleman consider the effect of abolishing Church-cess in one parish, and continuing it, for the lives of the incumbents, in the adjoining parishes. Let him consider what would be the effect of such an arrangement in the minds of the Catholic inhabitants of that country. He was satisfied that the adoption of such a regulation would be attended with the very worst consequences. The hon. member for the University of Oxford said, that William of Wyckham, and the other founders of the academic institutions in that University, were actuated by a view to the promotion of the glory of God, and the good of the people. He was sure that this was the case as regarded the Church Establishment; and in furtherance of that object it was desirable to remove those things which tended to render that institution odious to the people, and to prevent that good resulting from it which would otherwise ensue. The right hon. Gentleman produced a great effect on the House by arguing that the clergy of Ireland required relief, and that instead of a plan of relief, this measure had for its object the taking away a portion of their incomes. But his Majesty's Ministers had proposed a measure to relieve the clergy from the difficulties under which they laboured; and at the same time, while Ministers provided for their relief, they added to their security by endeavouring to prevent those unfortunate collisions from arising between a Catholic population and a Protestant Clergy, which had often been attended with such deplorable consequences. Ministers were anxious to put a stop to the system, by which the occupier of a single acre was taxed for the support of a Protestant Minister, and the repair of a Protestant Church; and which necessarily must increase the odium which the Catholic population might feel towards a Protestant Church. The right hon. Gentleman had alluded to the situation of the Protestant Church. He admitted that that Establishment had been placed in a dangerous situation, by those who had made false and unfounded statements respecting the revenue, which the clergy of that Church derive from tithes. Instead of receiving one-tenth of the produce, it appeared that they did not receive one-tenth or one-fifteenth of the produce—but only one fifteenth of the rental. The average rent paid in Ireland (according to the evidence given before the Tithe Committee) was equal to one-third of the produce; so that while the landlord received one-third of the produce, the receipt of the clergyman did not exceed one forty-fifth. To leave the Church of Ireland in its present state was to leave it in greater jeopardy than it could be placed in by almost any regulation; nor would the Church of England escape peril if it were determined that the condition of the Church of Ireland should not be separately considered. He was satisfied that the revenue of the Church of England was not too much by a single shilling and he should be sorry to see it reduced. The proposed reform he was convinced did not go further than was necessary for the stability of the Church, and it was calculated rather to strengthen than injure the interests of the clergy of Ireland.

Mr. *Shaw* recommended that the first Resolution should be agreed to, and that the discussion should be continued to-morrow on the second Resolution, which, in fact, was the real subject of debate.

First Resolution agreed to; the House resumed; Committee to sit again.

END OF VOL. XVI.—THIRD SERIES.

AND OF

SECOND VOL. OF SESS. 1833.

ERRATUM TO VOL. XV.

The following Speech of Mr. Wm. Roche should have been inserted at Page 523 immediately after the Speech of Mr. Morgan O'Connell.

Mr. *William Roche:* Sir, the question of the Address, as connected with Irish affairs, having been revived, may I be permitted to say a few words. I know it has and may be remarked, that Irish Members have had more than their due share of the debate; but, Sir, that was rather a matter of necessity than choice, the subject coming more peculiarly home to their business and their bosoms. Sir, it is far from my inclination or intentions to occupy much of the time of the House, or unnecessarily to prolong the discussion of a subject which has been so ably handled, so amply elucidated, so almost perfectly exhausted, as regards the condition and complaints of Ireland, by my hon. and learned friend the member for Dublin, and by the many and eloquent Gentlemen who followed and supported his representations and remonstrances. But, Sir, with my feelings on the wrongs, the wants, and just expectations of Ireland—feelings it would be rather strange, I did not entertain (coming as I do from so historically interesting a portion of that country as the city of Limerick, which I have the honour to represent) a city not only loyal and brave in olden times, but in recent recollections, for it was her regiment of Militia, though vastly out-numbered, that gave the first check to the French invaders under Humbert. But, Sir, in expressing my feelings on Irish affairs, I am no less actuated, I assure the House, by an anxious desire for the prosperity, harmony, and consequent strength of the empire at large—and I also desire to express them in deference to the constituency which sent me here. It is, therefore, Sir, that I wish to declare my coincidence in the sentiments of regret and disappointment, which have fallen from my hon. precursors in the debate, as regards the meditated conduct towards Ireland, one of unwise, unkind, and uncalled for mixture of coercion and concession. Sir, I could not but be struck during the course of this debate by the painful necessity which every Gentleman felt, on alluding to Ireland, to use the epithet 'unfortunate,' which, however true, and arising from sympathetic feelings, must have been no less grating to those who uttered it than mortifying to us Irish Members who heard it. Into an analysis of the causes which produced this unhappy condition, I shall not now enter further than to say, that as it was produced by bad treatment and bad government, the total reversal of that conduct and that system must be the obvious remedy. Sir, if even at this late period of Ireland's misrule and misfortunes, measures were adopted, couched in a spirit of thorough redress and sincere conciliation, unmixed and unalloyed by those announcements of menace and coercion so utterly unnecessary in the present ample sufficiency of the law,—so susceptible is the Irish character of grateful emotions, so disposed towards an oblivion of the past, in the anticipation of the future, that the post which wafted over to its shores such glad tidings, and such an auspicious Royal Speech, would accomplish more in one day to allay discontent and ferment, by inducing amity of hearts and interests, than the most powerful combination of military and constabulary force, which tends rather to exasperate than cure the disease. But, Sir, when it is seen, that the case of Ireland is so misunderstood and distorted—when it is seen that the cure of its evils forms such a compound of contrarieties, coercion and conciliation—irritation and counter-irritation (to use a medical phrase)—what good can be expected from such conflicting remedies, or from concessions attended by the old hacknied and inveterate habit of disparaging and neutralizing every boon (or rather act of justice) by some counteracting restraint; and truly has it been observed in the debate, what a different line of conduct is pursued towards this country when any circumstance disturbs its quiet. Investigation and redress are at once adopted, and rigorous measures postponed to wiser maxims. Adopt the same conduct towards Ireland, and similar will be the result. But, Sir, it may be replied that the character of the Irish is formed of different materials; if it be so, it must be the result of different treatment and vicious demoralising policy, for human nature is found, under similar circumstances, to be nearly the same everywhere; and as regards Irish love and respect for justice, English historians themselves have promulgated it centuries ago. I, myself, Sir, can, in a limited way, bear testimony to this observation, for though being obliged as Magistrate of the city which I represent, to punish many offenders, yet I am sure I have not a personal enemy among them, because they are conscious I was actuated by no selfish, vindictive, or improper motive, but by the impartial exercise of an unavoidable duty. Let, Sir, in a more enlarged sphere, the same principles of jurisprudence and justice be adopted, and most beneficial will be the result. Sir, I shall not now enter into a detail of the various grievances and complaints, which have so long oppressed and depressed Ireland, as they will come, during the Session, progressively before the House, and shall conclude by briefly adverting to that most important topic the repeal of the Legislative Union. Sir, on that question, I came into Parliament with my mind disengaged, that is, so far as an indignant sense of the vicious system of Legislation and Government, and its evil consequences, could leave any sensitive mind disengaged. But I was still unwilling to control myself by any positive obligation—desirous of seeing whether a Reformed Parliament would be more disposed than its predecessors, to act with sympathy and justice towards Ireland, not by confining measures of a petty paltry nature, but by an ample and prompt uprooting of abuses. I was also desirous of seeing the question, one of such magnitude, developed and discussed in all its bearings, in order that it may be canvassed and understood by the intelligence of the country, and because discussion always tends to promote and advance every sound and salutary measure; but, Sir, as scarcely any state of things can be less endurable than the present condition of Ireland, as regards the rights, liberties, and happiness of the people, so will they fly to any legitimate remedy if they are permitted to despair of adequate redress—an impression which the unwise and unkind association of coercion and concession, and the disposition to close all deliberation on the question of Repeal, is little calculated to allay—an effort that will rather tend to augment than subdue the intensity of existing interest on the subject. Redress, ample redress, is the only panacea. In that spirit, Sir, there is one effectual remedy for the evils of Ireland, indeed of every country, that of consulting the interests of the many of the millions, in preference to the aggrandizement of the few. Adopt that maxim towards Ireland, and, as the celebrated Burke said on another occasion, 10,000, nay, 100,000 Irish swords will leap from the scabbards to avenge a wrong or an insult to their King and country, and peace, contentment, and prosperity will at length prevail in that hitherto abused, and therefore distracted land.

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